Bismillahe Wa Behi Nasht'een

Zaruri Tazkerah

Tafheem fuqaah ki yeh kitaab shion ke Marjah A'la Hazrat Ayatullah Al azam A'qae sayed Ali Hoosaini Sistani madzalah al a'la ke fatwohn par mooshtamil hai takeh AAp ke maqaledeen roz marah pesh aane waale massa'el ka " shar'ei hukm" m'loom kar saken.

Is edition ki farsi kitaab se tatbeeq aur islah wa naazar ke liye hum Hujatullah al islam Ghulam Raza Ruhani sahib aur janaab Maulanaa Sayed Zullfiqaar Ali Zaidi Saheb ke shukr guzar hain. Nez yeh keh proof reading ke vaqt hata al imkan Ehteyaat barti gayi hai. Laikin imkan khata ke pesh nazar iltemaas hai keh dauraane mutaleah agar aap koi khaami mahsoos karen to meharbani farma kar humein zaroor aagah kijiye takeh aendah edition mein is fard gazashat ko door kiya ja sake.

Dua hai keh Khuda wand manaan humari is khidmat ko apni bargah aala mein qabool farmaye aur hume shariat islam ki khidmat ka zayada se zayada mauqa inaayat farmaaye.

" Wa hauwal wali ul taufeeq ''.

(Idarah)

Mujtahid ki Taqleed

Hazrat ImamHasan Askari Alaih salaam ka irshaad garaami hai :

" Logon ko chahi'e keh fuqha' (y'ani Ehkaam shariat ko tafseel wa tehqeeq ke sath janne waale mujtahdeen) mein se jo shakhs apne aap ko goonaahon se bachaata ho, apne deen ki hafazat karta ho (y'ani apne deen par sakhti se qayam ho) apni naafsani khuahishat ka ghulaam ho aur Ehkaam Illahi ki ata-at karta ho is ki taqleed karen." Is ke b'ad Imam Alaih salam ne farmaya : " yeh ausaaf m'doode chand shiah fuqha' mein se hain, sab mein nahin." (Ehtejaj tabrisi, jild 2, safah263)

Wali Asr Hazrat Imam Mehdi Ajalallah t'ala farjah Alsharif farmate hain :

" Ghaibat Kubra ke zamaane mein pesh aane waale halaat ke silsile mein humari hadeeson ko bayan karne waale rawion ki taraf rajoo' karo kioon naa keh woh humari taraf se tum par isi tarah hujat hain. Jis tarah hum Allah ki taraf se hujat hain.'' (kamal aldeen wa tamaam ulema sheikh sadooq")

A'mah kareem ke mandarjah bala farmodaat ke pesh naazar in tamaam logon par jo darjah ejtahaad par faez nahin hain, apne zamaane ke jamae alsharaet mujtahid ki taqleed karna wajib hai kioon naa keh is ke baghair in ki ebadaat au raise tamaam a'maal jin mein taqleed zaruri hai batil ho jate hain.

Islam azeez ki shariat gharah ke farooe massael ka tafseel m'khaz (Qur'an, Hadees, Ejmae, Aqal) se sharae hukm estanbaat karne ka naam ejtehaad hai aur mujtahid ke batae hue fatwohn ko bagair daleel ke jannaa aur in par amal karna taqleed hai. Jo shakhs rutbae ejtehaad hasil kar chukka ho is ke liye taqleed karna jaez nahin hai albatah jo khud mujtahid naa ho is par taqleed karna wajib hai. Agar che ejtehaad aur taqleed ke alawah ek teesri surat bhi mumkin hai. Y'ani yeh keh Ehteyaat par amal kiya jae Laikin yeh har ek ke bas ki baat nahin hai. Ehteyaat par wohi shakhs amal kar sakta hai jo mukhtalif msael mein tamaam mujtahdeen ke ekhtalafi fatwohn se poori tarah bakhabar ho aur aisa tareeqae amal ekhteyar kar sake jis mein jameat paee

jati ho. Zahir hai keh yeh kam bhi taqreeban ejtehaad hi ki tarah dashwaar aur mooskil hai. Pas humare liye do hi suratein baaqi rah jaat hain. Y'ani ya mujtahid bane ya phiur mujtahid ki taqleed Karen.

(Idarah)

Anwanaat

Anwanaat

Bismillah hir rahmaan nir rahim

Alhamdo lillahe rabbil a'lameenaa, wassalaato wassalaamo ala ashrafil ambeia'e walmursalinaa muhammadiwn wa aalehit tauee'binat tauhereenaa, wal l'naatud da'emato ala a'daaehim ajma'eenaa, minaal anaa ela qeyame yaumiddeen.

Ehkaam taqleed

Massael No:

1. Har musalmaan ke liye usoole deen ko azrooe basarat jannaa zaruri hai. Usool-e-deen mein taqleed nahin ki ja sakti y'ani yeh nahin ho sakta keh koi shakhṣ usoole deen mein kisi sahib ilm ki baat sirf is wajah se mane keh woh keh raha hai. Laikin agar koi shakhṣ islaamke sahi aqaed pat yaqeen rakhta ho aur is ka izhaar karta ho agar che yeh izhaar azrooe basarat naa ho tab bhi woh musalmaan aur momeen hai aur is par imaan aur Islam ke tamaam Ehkaam jaari honge.

Jahan tak deeni Ehkaam ka ta'luq hai, "mooslamah aur qatae' umoor" ko chhor kar baaqi Ehkaamaat mein zaruri hai keh insaan ya to khud mujtahid ho y'ani Ehkaam ko daleel ke zariye hasil kar sake ya kisi mujtahid ki taqleed kare ya azrah Ehteyaat apnaa fareezah yoon adaa kare keh ise yaqeen ha jaaye keh is ne apni sharaei zimmedaari poori kar di hai. Maslan agar chand mujtahid kisi amal ko haraam qarar dein aur chand dusre kahen keh haraam nahin hai to is amal se baaz rahe aur agar ba'z mujtahid kisi amal ko wajib aur ba'z mustahab qarar dein to ise baja layen. Lehaaza jo ashkhas naa to mujtahid hon aur naa hi Ehteyaat par amal peira ho saken in ke liye wajib hai keh mujtahid ki taqleed Karen.

2. Deeni Ehkaam mein taqleed ka matlab yeh hai keh kisi mujtahid ke fatwe par amal kiya jaaye aur zaruri hai keh jis mujtahid ki taqleed ki jaaye woh Mard – Baligh – A'qil – Shia ishnaa ashari – Halal zaada – Zinda aur 'Adil ho.

'Adil woh shakhṣ hai jo in tamaam kamo ko baja laye jo is par wajib hain aur in tamaam kamon ko tark kare jo is par haraam hain. 'Adil hone ki nishani yeh hai keh woh bazahir ek acchaa shakhṣ ho aur is ke ahal muhalla humsayon ya hum naasheenon se is ke baare mein daryaaafat kiya jaaye to woh is ki acchaaei ki tasdeeq Karen

Agar yeh baat ajmalan ma'loom ho keh darpesh massael mein mujtahedeen ke fatwe ek dusre se mukhtalif hain to zaruri hai keh is mujtahid ki taqleed ki jaaye jo " A'lim" ho y'ani apne zamaane ke digar mujtahedeen ki nisbat Ehkaam illahi ko samajhne ki behtar salaahiyat rakhta ho.

3. Mujtahid aur A'lam ki pehchan teen tareeqon se ho sakti hai :

(1) Kisi insaan ko khud yaqeen aa jaaye, maslan woh aisa shakhṣ ho jo khud sahebe ilm ho aur mujtahid aur ilm ko pehchanne ki salaahiya rakhta ho. (2) Do aise a'lam aur aadil ashkhas jo mujtahid aur a'lam k pehchanne ka malka rakhte hon, kisi ke mujtahid ya a'lim hone ki tasdeeq karen, bashart yeh keh do aur a'lim aur aadil in ki tardeed naa karen, balkeh kisi ke mujtahid ya a'lam honaa ek qabil a'itmaad ahal khubrah wa itla' shakhs ke qaul se bhi sabit ho jata hai. (3) Yeh keh insaan kisi aqlaee tareeqe se kisi shakhs ke mujtahid ya a'lam hone ka itminaan hasil kar le. Maslan kuch aise ahal ilm (ahal khubrah) jo mujtahid aur a'lam ko pehchanne ki salaahiya rakhte hain aur in ki baat se itminaan bhi aa jata hai, kisi ke mujtahid ya a'lam hone ki tasdeeq karen.

4. Kisi mujtahid ka fatwaa hasi karne ke char tareeqe hain :

(1) Khud mujtahid se soonnaa. (2) Mujtahid ka fatwaa bayan karne waale do a'adil ashkhas se soonnaa. (3) Kisi aise shakhs se soonnaa jis ki baat par itminaan ho. (4) Mujathid ki kitaab (maslan Tauzih ul massael) mein padhnaa bashart hai keh is kitab ki sehat ke baare mein itminaan ho.

5. Jab tak insaan ko yeh yaqeen naa ho jaaye keh mujtahid ka fatwaa badal chukka hai woh kitab mein likhe hue fatwe par amal kar sakta hai aur agar fatwe ke badal jane ka ehtemaal ho to chhaan been karna zaruri nahin.

6. Agar mujtahid a'lam koi fatwaa de to is ka muqqallid is massaele mein kisi dusre mujtahid ke fatwe par amal nahin kar sakta. Taa hum agar woh (y'ani mujtahid a'lam) fatwaa naa de balkeh yeh kahe keh Ehteyaat is mein hai keh yoon amal kiya jaaye. Maslan Ehteyaat is mein hai keh Namaaz ki pehli aur dusri raka't mein surah alhamd ke ba'd ek poori surat paṛe to zaruri hai eh maqalid ya to is Ehteyaat par, jise Ehteyaat-e- wajib kahte hain, ama; kare ya kisi dusre mujtahid ke fatwe par a'lam faala ilm ka khayal rakhte hue amal kare. Pas agar woh (y'ani dasra mujtahid) faqat surah alhamd ko kafi samajhta ho to dusri surat tark ki ja sakti hai.

Jab mujtahid a'lam kisi massa'le ke baare mein kahe keh mahal t'ammul ya mahal ishkal hai to is ka bhi Yahi hukm hai.

7. Agar mujtahid a'lam kisi massale ke baare mein fatwaa den eke ba'd ya is se pehle Ehteyaat ka tazkirah kare maslan yeh kahe keh najis bartan paani mein ek martaba dhone se paak ho jata hai agar che Ehteyaat is mein hai keh teen martaba dhoe to maqalid aisi Ehteyaat ko tark kar saktaa hai. Is qisam ki Ehteyaat ko Ehteyaat-e-mustahab kahte hain.

8. Agar woh mujtahid jis ki ek shakhṣ taqleed karta hai faut ho jaaye to jo hukm is ki zindagi mein tha wohi hukm is ki wafaat ke ba'd bhi hai. Lehaaza agar marhoom mujtahid , zindah mujtahid ke maqaabale mein a'lam ho to woh shakhṣ jise darpesh massa'el mein dono mujtahedeen ke manein ekhtelaaf ka agar che ajmaali taur par ilm ho ise marhoom mujtahid ki taqleed par baaqi rahnaa zaruri hai aur agar zindah mujtahid a'lam ho to phir zindah mujtahid ki taraf rajoo karna zaruri hai.

Aur agar kisi ek ke a'lam hone ka yaqeen naa ho sake ya dono massawi hon to ise ikhteyar hai keh in dono mein se kisi ke fatwe ke mutabiq amal kar le. Albattah agar ilm ajmaali hasil ho jaaye ya kisi shara'ee takleef par hujjat ajmaali qaaem ho jaaye, maslan qasr aur tamaam ke darmiyan ikhtelaafi maqaamaat, to Ehteyaat-e- wajib ki bina pa zaoori hai keh dono ke fatwe ka khayal rakhe.

Is massa'le mein taqleed se muraad maeyeen mujtahid ke fatwe ki pairwi karne ko sirf apne liye laazim qarar denaa hai naa keh oos ke hukm ke mutabiq amal karna.

9. Mukallif ke liye woh tamaam massael seekhnaa laazim hai jin ke baare mein ehtemaal hai keh seekhne ki wajah se khuda ki m'siat mein mubtala h sakta hai. Y'ani kisi wajib ko tark karne ya kisi haram ko anjaam dene ka martakab ho sakta hai.

10. Agar kisi shakhṣ ko koi aisa masslah pesh aaye jis ka hukm ise ma'loom naa ho to laazim hai keh Ehteyaat kare ya in sharaet ke mutabiq taqleed kare jin ka zikr uupar aa chukka hai. Laikin agar is massale mein ise a'lam ke fatwe tak rasaee hasi naa ho sake ti a'lam fala im ka khayal rakhte hue falaa ilm ki taqleed kar sakta hai.

11. Agar koi shakhṣ mujtahid ka fatwaa kisi dusre shakhjs ko batae aur phir mujtahid apnaa fatwaa badal de to is ke liye dusre shakhṣ ko fatwe ki tabdeeli ki itla' denaa zaruri nahin. Laikin agar fatwaa batane waale ke ba'd yeh ma'loom ho keh fatwaa batane mein galti ho gayee hai aur is itla' ki wajah se woh shakhṣ apne shara'ee wazife ke khelaaf amal karega to Ehteyaat-e-laazim ki bina par jahan tak ho sake is galti ka azalah kare.

12. Agar koi mukallif ek muddat kisi ki taqleed kiye baighair amaal baja lata rahe, to agar is ke amaal hukm waq'e ke mutabiq hon ya is mujtahid ke fatwe ke mutabiq hon, jis ki taqleed karna bhi is ki zimmedaari hai to woh amaal sahi tassoor kiye jaayenge. Is ke alawoh bhi agar woh jahil qaasar ho aur amaal ka nuqs arkan waghairah k aitebaar se naa ho to bhi is ke amaal sahi tasoor kiye jaayenge.

Yahi hukm is surat mein bhi hai jab jahil muqassar ho aura mal mein koi aisa nuqs ho jo lailmi ki surat mein m'af ho, to jaise bulan aawaz se qaraet ki jagah aahista aawaz se qaraaet ya bil'ks, to bhi is ke amaal sahi mane jaayenge.

Yahi hukm is surat mein bhi hai jab ise yeh m'aloom naa ho keh pichhle amaale kaifiat ke aitbaar se sahi the ya nahin to bhi is ke amaal minhaaj mein zaks shuda ba'z mawarid ke alawoh sahi tassoor kiya jaayenge.

Ehkaam Tahaarat

Mutlaq aur Muzaaf paani

13. Paani ya mutlaq hota hai ya muzaaf. Muzaaf woh paani hai jo kisi cheez se hasil kiya jaaye. Maslan tarbooz ka paani (naariyal ka paani) gulaab ka araq (waighairah). Oos paani ko bhi muzaaf kahte hain jo kisi dusri cheez se aaloodah ho maslan gadla paani jo is had tak matyala ho keh phir oose paani naa kahaa ja sake. In ke alaawoh jo paani ho Oose aabe muzaaf kahte hain aur is ki panch qismein hain :
(1) Kurr paani (2) Qaleel paani (3) Jaari paani (4) Barish ka paani (5) Koowein ka paani.

1 Kurr paani

14. Kurr woh paani hai jis ke bartan ki goonjaish 36 cubic balish (ek balish ki lambai taqreeban22 centimeter hoti hai) ho jo taqriban 384 litre hota hai.
15. Agar koi cheez ain najis ho maslan peshab ya khoon ya woh cheez jo najis ho gayi ho jaise keh najis lebas aise paani se to paani najis ho jaayega Laikin agar aisi koi tabdili waqae naa ho to najis nahin hoga.
16. Agar kurr paani ki boo, rang ya zaa'eqa najaasat ke 'a'lawa kisi aur cheez se tabdeel ho jaaye to woh paani najis nahin hoga.
17. Agar koi ain najaasat maslan khoon aise paani mein jakar gire jis ki maqdar ek kurr se zayada ho aur is ki boo, rang ya zaa'eqa tabdeel kar d to is surat mein agar paani ke is hisse ki miqdar jis mein koi tabdili waqa' nahin hue ek kurr se kam ho to saraa paani najis ho jaayega Laikin agar is ki miqdar ek kurr ya is se zayada ho to sirf woh hissaah najis hoga jis ki boo, rang ya zaa'eqa tabdeel hua hai.
18. Agar fawware ka paani aise paani se mutasil ho jis ki miqdar ek kurr ke barabar ho to fawware ka paani najis paani ko paak kar deta hai. Laikin agar najis paani fawware ka paani qattaron ki surat mein gir to ise paak nahin karta. Albatta agar fawware ke samne koi cheez rakh di jaaye jis ke naatije mein is ka paani qatra qatra hone se pehle najis paani se mutasil ho jaaye to najis paani ko paak kar deta hai aur zaruri yeh hai keh fawware ka paani najis paani se makhloot ho jaaye.
19. Agar kisi najis cheez ko kurr paani se mutasil naal ke niche dhoen to agar is cheez se girne wala paani bhi kurr se mutasil ho aur is mein najaasat ki boo, rang ya zaa'eqa paida naa ho aur naa hi is mein ain najaasat ki aamejish ho to woh paani paak hai.

20. Agar kurr paani ka kuch hissaah jam kar barf ban jaaye aur kuch hissaah paani ki shakl mein baaqi bache jis ki miqdarek kurr se kam ho job hi koi najaasat is paani ko chhuegi woh najis ho jaayega aur barf pighalne par jo paani banega woh bhi najis hoga.
21. Agar paani ki miqdar ek kurr ke barabar ho aur b'ad mein shak ho ke haya ab yeh kurr se kam ho chukka hai ya nahin is ki haishiyat ek kurr paani hi ki hogi y'ani who najaasat ko bhi paak karega aur najaasat ke itsal se najis bhi nahin hoga. Is ke bar aks jo paani ek kurr kam tha is ke mata'liq shak ho keh aab is ki miqdar ek kurr ke barabar ho gayi hai ya nahin to ise ek kurr se kam hi samjha jaaye.
22. paani ka ek kurr ke barabar honaa do tareeqe se sabit ho sakta hai. (1) Insaan ko is baare mein khud yaqeen ya itminaan ho. (2) Do 'adil mard is baare mein khabar dein. Albata agr ek 'adil ya qabil 'itemad shakhṣ ya woh shakhṣ jis ke itkhteyar mein paani hai agar paani ke kurr hone ki itla' de, jabkeh is khabar par itminaan naa aa sake to is par bharosa karna mahal ishkal hai.

2 Qaleel paani

23. Aise paani ke qaleel paani kahte hain jo zameen se naa uble aur jis ki miqdar ek kurr se kam ho.
24. Jab qaleel paani kisi najis cheez par gire ya koi najis cheez is par gire to paani najis ho jaayega.

Albatta agar paani najis cheez par zor se gire to is ka jitnaa hissaah najis cheez se milega najis ho jaayega Laikin baaqi paak hoga.

25. Jo qaleel paani kisi cheez par 'en najaasat door karne ke liye dala jaaye to in maqaamaat par jahan najis cheez ek bar dhone se paak nahin hoti, woh najaasat se juda hone ke b'ad najis ho jata hai aur isi tarah woh qaleel paani jo 'en najaasat kea lag ho jane ke b'sd najis cheez ko paak karne ke liye is par dala jaaye is se juda ho jane ke b'ad banaabar Ehteyaat-e-laazim najis hai.
26. Jis qaleel paani se peshaab ya paakhane ke makharij dhoe jaayen woh agar kisi cheez ko lag jaaye to panch sharaet ke sath ise najis nahin karega.

(1) Pani mein najaasat ki boo, rang ya zaa'eqa paida naa hua ho. (2) Bahar se koi najaasat is se naa aa mili ho. (3) Peshaab ya paakhane ke sath koi aur najaasat maslan khoon kharij naa hua ho. (4) Paakhane ke zarraat paani mein dhikayee naa dein. (5) Peshaab ya paakhane ke kharij ke aiteraf mein ma'mooli se zayada naa lagi ho.

3 - Jaari paani

Jaari paani woh hota hai (1) Jis ka ek qudrati manba' ho. (2) Jo bah raha ho, chhahe ise kisi maznoo'ee tareeqe se bahaya jar raha ho. (3) Is mein kisi had tak hi sahi, tasalsal ho aur yeh zaruri nahin keh woh paani qudrati zakhire se mutasil hi ho, Lehaaza agar qudrati tareeqe se woh paani ke zakhire se juda ho maslan agar koi uuupar se qatron ki surat mein tapak raha ho to niche gir kar dobara bahne ki surat mein ise jaari hi manaa jaayega. Han! Agar koi cheez paani ke zakhire se itsaal mein rukawat ban jaaye maslan paani ke bahao ya abaal mein rukawat bane ya zakhire se itsaal hi tod de to baaqi mandah paani ko jaari nahin manaa jaayega, chhahe woh paani bah bhi raha ho.

27. Jaari paani agar che kurr se kam hi kyoon naa ho najaasat ka milne se tab tak najis nahin hota jab tak najaasat ki wajah se is ki boo, rang ya zaa'eqa badal naa jaaye.
28. Agar najaasat jaari paani se aa mile to iski itni miqdar jis ki boo, rang ya zaa'eqa najaasat ki wjah se badal jaaye najis hai. Albatta is paani ka woh hissah jo chasme se mutasil ho paak hai khawa is ki miqdar kurr se kam hi kyoon naa ho. Nadi ki dusri taraf ka paani agar ek kurr jitnaa

ho ya is paani ke zariye jis mein (boo, rang ya zaa'eqe ki) koi tabdili waq'e nahin hue chasme ki taraf ke paani se mila hua ho to paak hai warnaa najis hai.

29. Agar kisi chasme ka paani jaari naa ho Laikin surat haal yeh ho keh jab is mein se paani nikal lein to dobarah is ka paani ubal padhta ho to woh paani, jaari paani ka hukm nahin rakhta y'ani agar najaasat is se aa mile aur is ki miqdar kurr se kam ho to najis ho jata hai.

30. Nadi ya nahar ke kanaare ka paani jo sakin ho aur jaari paani se mutasil ho, jaari paani ka hukm nahin rakhta.

31. Agar ek aisa chasma ho jo mishaal ke taur par sardiyon mein ubal parta ho Laikin garmiyon mein khoosk par jata ho oosi vaqt jaari paani ke hukm mein aayega jab is ka paani ubal padhta ho.

32. Agar kisi (turki ya irani tarz ke) hamaam ke chhote hauz ka paani ek kurr se kam ho Laikin woh aise makhzan se mutasil ho jis ka paani hauz ke paani se mil kar ek kurr ban jata ho to jab tak najaasat ke mil jane se is ki boo, rang aur zaa'eqa tabdeel naa ho jaaye woh najis nahin hota.

33. Hamaam aur building ke nalkon ka paani jo tutiyon aur shaawaron ke zariye bahta hai agar is makhzan ke paani se mil kar jo in nalkon se mutasil ho ek kurr ke barabar ho jaaye to nalkon ka paani bhi kurr paani ke hukm mein shamil hoga.

34. Jo paani zameen par bah raha ho Laikin zameen se ubal naa raha ho agar woh ek kurr se kam ho aur is mein najaasat mil jaaye to woh najis ho jaayega Laikin agar woh paani tezi se bah raha ho aur mishal ke taur par najaasat is ke nichle hisse ko lage to is ka uupar wala hissaah najis nahin hoga.

4 - Barish ka paani

35. Jo cheez najis ho aur ai najaasat is mein naa ho is par jahan jahan ek bar barish ka paani pohoonch jaaye paak ho jati hai. Laikin agar badan ya lebaas najis ho jaaye to binabar Ehteyaat in par dobarah barih ka paani pohoonchanaa zaruri hai, Albattah qaleen aur lebaas waghairah ka nichodhnaa zaruri nahin hai. Laikin halki si boonda baandi kafi nahin balkeh itni barish lazmi hai keh log kahen keh barish ho rahi hai.

36. Agar barish ka paani a'in najis par baares aur baras kar dusri jagah pohoonch jaaye Laikin a'in najaasat is mein shamil naa ho aur najaasat ki boo, rang ya zaa'eqa bhi is mein paida naa hua ho to woh paani paak hai. Pas agar barish ka paani khoon par barasne ke b'ad reese aur in mein khoon ke zarraat shamil hon ya khoon ki boo, rang ya zaa'eqa paida ho gaya ho to woh paani najis hoga.

37. Agar makan ke androonee ya uupari chat par a'in najaasat maujood ho to barish ke dauraan jo paani najaasat ko chhoo kar androonee chat se tapke ya parnaale se gire woh paak hai. Laikin jab barish tham jaaye aur yeh baat ilm mein aa jaaye keh ab jo paani gir raha hai woh kisi najaasat ko chhoo kar aa raha hai to woh paani najis hoga.

38. Jis najis zameen par barish baras jaaye woh paak ho jati hai aur agar barish ka paani zameen par bahne lage aur barish ke dauraan hi chat ke niche ksisi najis maqaam tak ja pohoonche to ise bhi paak kar dega.

39. Najis mitti ke tamaam ajzaa tak agar barish ka paani pohoonch jaaye to woh paak ho jaayegi, bashart yeh hai keh insaan ko yeh yaqeen naa ho jaaye keh mitti se milne ki wajah se barish ka paani muzaaf ho chuka hai.

40. Agar barish ka paani ek jagah jama' ho jaaye khawohek kurr se kam hi kyoon naa ho barish barasne ke vaqt agar koi najis cheez is mein dhoee jaaye aur paani najaasat ki boo, rang ya zaa'eqa qabool naa kare to woh najis cheez paak ho jaayegi.
41. Agar najis zameen par bichhe hue paak qaaleen waghairah par barish baares aur is ka paani barsne ke vaqt qaleen se najis zameen par pohoonch jaaye to qaleen bhi najis nahin hoga aur zameen bhi paak ho jaayegi.

5 koonwe ka paani

42. Ek aise koonwe ka paani jo zameen se ubalta ho agar che miqdar mein ek kurr se kam ho najaasat padhne se is vaqt tak najis nahin hoga jab tak is najaasat se is ki boo, rang ya zaa'eqa badal naa jaaye.
43. Agar koi najaasat koonwe mein gir jaaye aur is ke paani ki boo, rang ya zaa'eqe ko tabdeel kar de to jab koonwe ke paani mein paida shuda tabdeeli ho jaaye to paani paak ho jaayega. Albattah Ehteyaat-e- wajib ki bina par is paani ke paak hone ki shart yeh hai keh yeh paani koonwe se ubalne waale paani mein makhloot ho jaaye.

Paani Ke Ehkaam

44. Muzaaf paani jis ke m'ni masslah no 13 mein bayan ho chuke hain kisi najis cheez ko paak nahin karta. Aise paani se wuzu aur ghusl karna bhi batil hai.
45. Muzaaf paani ki miqdaar agar che ek kurr ke barabar ho agar is mein najaasat ka ek zarrah bhi padh jaaye to najis ho jata hai. Albattah agar aisa paani kisi najis cheez par zor se gire to is ka jitnaa hissaah najis cheez se mutasil hoga najis ho jaayega aur jo mutasil nahin hoga woh paak hoga. Maslan agar a'raqgulaab kp gulaab daan se najis haath par chhidhka jaaye to is ka jitnaa hissah haath ko lagega najis hoga aur jo nahin lagega woh paak hoga.
46. Agar woh muzaaf paani jo najis ho ek kurr ke barabar ya jaari paani se yoon mil jaaye keh phi rise muzaaf paani naa kahaa ja sake to woh paak ho jaayega.
47. Agar ek paani muzaaf tha aur b'ad mein is ke baare mein yeh m'loom naa ho keh muzaaf ho jane ki had tak pohucha hai ya nahin to woh mutlaq paani matsoor hoga. Y'ani najis cheez ko paak karega aur is se wuzu aur ghusl karna bhi sahi hoga aur agar paani muzaaf tha aur yeh m'loom naa ho keh woh mutalaq hua ya nahin to woh muzaaf matsoor hoga y'ani kisi najis cheez ko paak nahin karega aur is se wuzu aur ghusl karna bhi batil hoga.
48. Aisa paani jis ke baare mein yeh m'loom naa ho keh mutlaq hai ya muzaaf aur yeh bhi ma'loom naa ho keh pehle mutlaq tha ya muzaaf, najaasat ko paak nahin karta aur is se wuzu aur ghusl karna bhi batil hai. Joohin koi najaasat aise paani mein pạregi woh paani najis ho jaayega aur agar kurr ya is se zayada ho to Ehteyaat-e-laazim ki bina par najis ho jaayega.
49. Aisa paani jis mein khoon ya peshaab jaisi a'in najaasat aa pạre aur is ke boo, rang ya zaa'eqe kp tabdeel kar de najis ho jata hai khawoh woh kurr ke barabar ya jaari paani hi kyoon naa ho. Takeh agar is paani ki boo, rang ya zaa'eqa kisi aisi najaasat sr tabdeel ho jaaye jo is se bahar hai maslan qareeb pạre hue murdaar ki wajah se is ki boo badal jaaye to Ehteyaat-e-laazim ki bina par woh najis ho jaayega.
50. Woh paani jis mein a'in najaasat maslan khoon ya peshaab gir jaaye aur is ki boo, rang ya zaa'eqa tabdeel kar de agar kurr ke barabar ya jaari paani se mutasil ho jaaye ya barish ka paani is par baras jaaye ya hawa ki wajah se barish ka paani is par gire ya barish ka paani is dauraan jabkeh barish ho rahi ho parnaale se is par gire to in tamaam suraton mein is waq'e shuda

tabdeeli zaael ho jaane par aisa paani paak ho jata hai. Laikin zaruri hai keh baridh ka paani ya kurr paani ya jaari paani is mein makhloot ho jaaye.

51. Agar kisi cheez ko kurr ya jaari paani mein paak kiya jaaye to jis baar dhone mein woh cheez paak hone waali hai, is vaqt woh paani jo bahar nikalne ke b'ad is se tapke paak hoga.

52. Jo paani pehle paak ho aur yeh i'lm naa ho keh b'ad mein najis hua ya nahin, woh apk hai aur jo paani pehle najis ho aur m'loom naa ho keh b'ad mein paak hua ya nahin, woh najis hai.

Baitul Khula ke Ehkaam

53. Insaan par wajib hai keh peshaab aur paakhanaah karte vaqt aur dusre m'uqe par apni sharamgahon ko oon logon se jo mukallif hon khawoh woh ma aur behan ki tarah is ke mehram hi kyoon naah on aur isi tarah deewano aur oon bachhaaon se jo ache bure ki tameez rakhte hon chhupa kar rakhe, Laikin biwi aur shauhar ke liye apni sharamgahon ko ek dusre se chhupanaa laazim nahin.

54. Apni sharamgahon ko kisi makhsoos cheez se chhupanaa laazim nahin. Maslan agar haath se bhi chhupa len to kafi hai.

55. Peshaab ya paakhanaa karte vaqt Ehteyaat-e-laazim ki bina par badan ka agla hissah y'ani paet aur seenaa qible ki tarah naa ho aur naa hi pusht qible ki taraf ho.

56. Agar peshaab ya paakhanaa karte vaqt kisi shakhṣ ka badan ka agla hissah roobaaqiblah ya pusht baaqiblah ho aur woh apni sharamgahon ko qible ki taraf se moṛ le to yeh kafi nahin hai aur Ehteyaat-e- wajib yeh hai keh peshaab aur paakhanaa karte vaqt sharamgahon ko roobaaqiblah ya pusht baaqiblah naa modhe.

57. Ehteyaat-e-mustahab yeh hai keh istebra ke mauq'a par jis ke ehkaam b'ad mein bayan kiye jaayenge ke, agle aur pichhli sharamgahon ko paak karte vaqt badan ka agla hissah rubaa qiblah ya pusht baaqibla naa ho.

58. Agar koi shakhṣ is liye keh naamehram ise naa dekhe roobaaqibla ya pusht baaqiblah par majboor ho to Ehteyaat-e-laazim ki bina par zaruri hai keh pusht baaqiblah baith jaaye.

59. Ehteyaat-e-mustahab yeh hai keh bachhaae ko rafa' haajat ke liye rooqiblah ya pusht baaqibla naa baithayen.

60. Chaar jagahon par rafa' haajat haraam hai :

(1) Boond gali mein jab keh wohan rahne walon ne is ki ijaazat naa de rakhe ho. Isi tarah agar guzarne walon ke liye zarrar ka ba'es ho to a'moomi gali koochon aur raston par bhi raf'a haajat karna haraam hai.
(2) Is jagah mein jo kisi ki nijii malkiyat ho jab keh is ne raf' haajat ki ijaazat naa de rakhi ho.
(3) Oon jagahon mein jo makhsoos logon ke liye waqf hon, mahalan b'az madrase.
(4) Momeneen ki qabron par jab keh is fa'el se in ki behurmati hoti ho balkeh agar behurmati naab hi hoti ho. Han ! agar zameen bilasal mubah ho to koi harj nahin. Yahi surat har is jagah ki hai jahan raf'a haajat deen ya mazhab ke maqaddsaat ki tauheen ka sabab bane.

61. Teen suraton mein maq'd (paakhanaa kharij hone ka maqaam) faqt paani se paak hota hai :

(1) Paakhane ke sath koi aur najaasat maslan khoon bahar aya ho.
(2) Koi bairooni najaasat maqa'd par lag gayi ho, siwaye is ke keh khwateen mein peshaab, paakhane ke makhraj tak pohoonch jaaye.
(3) Maq'd ka itraaf ma'mooli se zayada aalodah ho gaya ho.

In teen suraton ke ‘lawoh maq’d ko ya to paani se dhoya ja sakta hai aur ya is tareeqe ke mutabiq jo b’ad mein bayan kiya jaayega, kapdhe ya paththar waigairah se bhi paak kiya ja sakta hai. Agar che paani se dhonaa behtar hai.

62. Peshaab ka makhraj paani ke a’lawa kisi cheez se paak nahin ho tao ise ek martaba dhonaa kafi hai albattah Ehteyaat-e-mustahab hai keh do martaba dhoein aur behtar hai keh teen martabah dhoein.

63. Agar maq’d ko paani se dhoya jaaye to zaruri hai keh paakhane ka koi zarrah baaqi naa rahe albattah rang ya boo baaqi rah jaaye to koi harj nahin aur agar pehli baar hi woh maqaam yoon dhul jaaye keh paakhane ka koi zarrah baaqi naa rahe to dobarah dhonaa laazim nahin.

64. Paththar, dhela, kapda ya in jaisi dusri cheezein agar khoosk aur paak hon to in se maq’d ko paak kiya ja sakta hai aur agar in mein ma’mooli naamee bhi ho jo maq’d ko tar naa kare to koi harj nahin.

65. Agar maq’d ko paththar, dhele ya kapdhe se ek martabah bilkul saaf kar deea jaaye to kafi hai laikin behtar yeh hai keh teen martabah saaf kiya jaaye balkeh jis cheez se saaf kiya jaaye is ke teen tukdhe bhi hon aur agar teen tukdharon se saaf naa ho to itne mazeed tukadhron ka izaafah karna zaruri hai keh maq’d balkul saaf ho jaaye. Albattah agar itne chhote zarre baaqi rah jaayein jo a‘am taur par dhoe baighair bahin nikalte to koi harj nahin hai.

66. Maq’d ko aisi cheezon se paak karna haraam hai jin ka ehteraam laazim ho maslan kapi ya akhbaar ka aisa kaghaj jis par Allah subhanaah wa t’ala aur Ambia’ ke naam likhe hon. Maq’d ke haddi ya gobar se paak hone mein koi ishkal nahin hai.

67. Agar ek shakhṣ ko shak ho keh maq’d paak kiya hai ya nahin to is par laazim hai keh ise paak kare agar che paakhanaah karne ke b’ad woh humesha mut’lqah maqaam ko fauran paak karta ho.

68. Agar kisi shakhṣ ko Namaaz ke b’ad shak guzre keh Namaaz se pehle peshaab ya paakhane ka makhraj paak kiya tha ya nahin to is ne jo Namaaz adaa ki hai woh sahi hai laikin aainda Namaazon ke liye ise paak karna zaruri hai.

Istibra’

69. Istibra ek mustahab a’mal hai jo mard peshaab karne ke b’ad is gharz se anjaam dete hain takeh itminaan ho jaaye keh ab peshaab naali mein baaqi nahin raha. Is ki kayee tareeqe hain jin mein se ek yeh keh peshaab se farigh ho jane ke b’ad agar maq’d najis ho gaya ho to ise paak kare aur phir teen daf’a bayein haath ki darmiyani anguli ke sath maq’d se le kar a‘zoo tanaasil ki jadh tak soonten aur is ke b’ad angoothe ko a‘zoo tanaasil ke uupar aur angoothe ke sath wali anguli ko is ke niche rakhe aur teen daf’a suupari tak soonte aur phir teen daf’a suupari ko jhatke.

70. Woh ratoobat jo kabhi kabhi shahoowat ubharne par mard ke aalah tanaasil se kharij hoti hai ise “Mazi” kahte hain, woh paak hai. ‘lawa woh ratoobat jo kabhi kabhi mani ke b’ad kharij hati hai, jise “Wazi” kahaa jata hai ya woh ratoobat jo b’az auqaat peshaab ke b’ad nikalti hai aur jise “Wadi” kahaa jata hai, agar peshaab is se naa mila ho to paak hai. Maziid yeh keh jab kisi shakhṣ ne peshaab ke b’ad istibra kiya ho aur is ke b’ad ratoobat kharij ho jis ke baare mein shak ho keh woh peshaab hai ya mazkoora bala teen ratoobaton mein se koi ek to bhi paak hai.

71. Agar kisi shakhṣ ko shak ho keh istibra kiya hai ya nahin aur is ke peshaab ke makhraj se ratoobat kharij ho jis ke baare mein woh naa janta ho keh paak hai ya nahin to woh najis hai nez agar woh wuzu kar chukka ho to woh bhi batil hoga. Laikin agar ise is baare mein shak ho keh istibra is ne kiya tha woh sahi tha ya nahin aur is dauraan ratoobat kharij ho aur woh naa janta ho keh woh ratoobat paak hai ya nahin, to woh paak hogi aur is ka wuzu bhi batil naa hoga.

72. Agar kisi shakhṣ ne istibra naa kiya ho aur peshaab karne ke b'ad kafi vaqt guzar jane ki wajah se ise itminaan ho keh peshaab naail mein baaqi nahin raha tha aur is dauraan ratoobat kharij ho au rise shak ho keh paak hai ya nahin to woh ratoobat paak hogi aur is se wuzu bhi batil naa hoga.
73. Agar koi shakhṣ peshaab ke b'ad istibre karke wuzu kar le aur is ke b'ad ratoobat kharij ho jis ke baare mein ise yaqeen ho keh peshaab hai ya mani to is par wajib hai keh Ehteyaatan ghusl kare aur wuzu bhi kare. Albatta agar is ne pehle wuzu naa kiya ho to wuzu kar lenaa kafi hai.
74. Aurat ke liye peshaab ke b'ad istibra nahin hai. Pas agar koi ratoobat kharij ho aur shak ho keh yeh peshaab hai ya nahin to woh ratoobat paak hogi aur is ke wuzu aur ghusl ko bhi batil nahin karegi.

Raf'a Haajat Ke Moostahebaat Aur Makruhaat

75. Har shakhṣ ke liye mustahab hai keh jab bhi raf'a haajat ke liye jaaye to aisi jagah baithe jahan ise koi naa dekhe. Baitul Khula mein dakhil hote vaqt pehle bayan paon andar rakhe aur nikalte vaqt dayaan paon bahar rakhe aur yeh bhi mustahab hai keh raf'a haajat ke vaqt sar dhanp kar rakhe aur badan ka bojha bayein paon par dale.
76. Raf'a haajat ke vaqt suraj aur chand ki taraf moonh karke baithnaa makruh hai, Laikin agar apni sharamgah ko kisi tarah dhanp le to makruh nahin hai. 'a'lawa raf'a haajat ke liye hawa ke rukh ke bilmuqabil nez gali kuchon, raston, makan ke darwazon ke samne aur mewadaar darakhton ke niche baithnaa bhi makruh hai aur is haalat mein koi cheez khanaa ya zayada vaqt laganaa ya dayein haath se Tahaarat karna bhi makruh hai aur Yahi surat batein karne ki bhi hai, Laikin agar majboori ho ya zikr khuda kare to koi harj nahin.
77. Khade hokar peshaab karna aur sakhat zameen par ya janwaron ke balloon mein ya paani mein, bilkhasoos sakin paani mein peshaab karna makruh hai.
78. Peshaab aur paakhanaa roknaa makruh hai aur agar badan ke liye mukamal taur par mazar ho to haraam hai.
79. Namaaz se pehle, sone se pehle, mubaashart karne se pehle aur mani nikalne ke b'ad peshaab karna mustahab hai.

Najaasat

80. Das cheezein najis hain :
(1-2) Peshaab aur pakhana (3) Mani (4) Murdaar (5) Khauf (6-7) Kutta aur Soor (8) Kafir (9) Sharaab (10) khor Haiwaan ka paseenaa

1-2 Peshaab aur Pakhana

81. Insaan aur ha rue Haiwaan ka jis ka ghost haraam hai aur jis ka khoon jahindah hai, y'ani agar oos ki rag katee jaaye to khoon uchhal kar nikalta hai, peshaab aur pakhana najis hai. Haan! In Haiwaanon ka pakhana paak hai jin ka ghost haraam hai magar in ka khoon uchhal kar nahin nikalta maslan woh machhli jis ka ghost haraam hai aur isi tarah ghost naa rakhnaae waale chhote Haiwaanon maslan makhi, khatmal aur pissu fazlah ya aalaesh bhi paak hai laikin haraam ghost Haiwaan keh jo uchhalne wala Haiwaan naa rakhta ho, Ehteyaatan laazim ki bina par is ke peshaab se bhi padhez karna zaruri hai,
82. Jin parindon ka ghost haraam hai oon ka peshaab aur fazlah paak hai laikin is se padhez behtar hai.

83. Najaasat khor Haiwaan ka peshaab aur pakhana najis hai aur isi tarah bher ke bachhaae ka peshaab aur pakhana jis ne soorrani ka dhoodh piya ho najis hai jis ki tafseel khane peen eke Ehkaam mein aayegi. Isi tarah oos Haiwaan ka peshaab aur pakhana bhi najis hai jis se kisi insaan ne bad fe'li ki ho.

3- Mani

84. Murdaar aur khoon jahindah rakhne waale har naar haraam ghost janwar ki mani najis hai. Woh ratoobat bhi mani ka hukm rakhti hai jo aurat ke badan se is tarah shahoot ke sath nikle jo is ki janaabat ka sabab bane jis ki tafseel massaelah number 345 mein aaeyegi. Ehteyaatan wajib yeh hai keh khoon jahindah rakhne waale naar halaal ghost janwar ki mani se bhi ihtejaab kiya jaaye.

4- Murdaar

85. Insaan ki aur uchhalne wala khoon rakhne waale har Haiwaan ki laash najis hai khawoh woh (kudrati taur par) khud mara ho ya shara'ee tareeqe ke a'lawakisi aur tareeqe se zibah kiya gaya ho.
Machhli choonnaa keh uchhalne wala khoon nahin rakhti is liye paani mein mar jaaye to bhi paak hai.
86. Laash ke woh ajzaa jin mein jaan nahin hoti paak hain. Maslan oon, baal haddeean aur daant.
87. Jab kisi insaan ya jahindah khoon waale Haiwaan ke badan se oos ki zindagi ke dauraan mein ghost ya koi dasra aisa hissaah jis mein jaan ho juda kar leea jaaye to woh najis hai.
88. Agar honton ya badan ki kisi aur jagah se baareek si tah (papri) ukheir li jaaye to agar is mein rooh naa ho aur aasaani se ukhar jaaye to woh paak hai.
89. Murdaar murghi ke pait se jo anda nikle woh paak hai chhahe oos ke uuupar ka chhilka abhi sakhat naa hua ho laikin oos ka chhilka dho lenaa zaruri hai.
90. Agar bhedh ya bakri ka bachhaa (memnaa) ghaas khaane ke qaabil hone se pehle mar jaaye to woh paneer mayeh jo oos ke sheerdaan mein hota hai paak hai laikin agar sabit naa ho sake keh yeh a'muman mae' hota hai to zaruri hai keh is ke zahir ko dho leea jaaye jo murdaar ke badan se mass ho chukka hai.
91. Sayyal dawaeeyan, 'tr. Roghan (tail, ghee) jooton ki polish aur saboon jinhein bahar se daraamad kiya jata hai, agar in ki Najaasat ke baare mein yaqeen naa ho to paak hain.
92. Ghost, charbi aur chamdha jis ke baare mein ihtemaal ho keh kisi aise jaanwar ka hai jise shar'ee tareeqe se zibah kiya gaya hai paak hai. Laikin agar yeh cheezein kisi kafir se lee gayee hon ya kisi aise musalmaan se lee gayee hon jis ne kafir se lee hon aur yeh tahqeeq naa ki ho keh yeh kisi aise janwar ki hain jise shar'ee tareeqe se zibah kiya gaya hai ya nahin to aise ghost aur charbi ka khaanaa haraam hai albattah aise chamre par Namaaz jaayez hai. Laikin agar yeh cheezein musalmaanon ke bazaar se ya kisi musalmaan se khareedi jaen aur yeh m'loom naa ho keh is se pehle yeh kisis kafir se khareedi gayee theen ya ihtemaal is baat ka ho keh tahqeeq kar lee gayee hai to khawoh kafir se hee khareedi jaen is ghost aur charbi ka khaanaa is shart par jaayez hai keh woh musalmaan is mein koi aisa tasaraaf kare jo halaal ghost se makhsoos hai, maslan aise khaane ke liye beich de jaez hai.

5 - Khoon

93. Insaan ka aur khoon jahindah rakhne waale har Haiwaan ka khoon najis hai. Pas aise janwaron maslan machhli aur macchaar ka khoon jo uchhal kar nahin nikalta paak hai.

94. Jin janwaron ka ghost halaal hai agar inhein shar'ee tareeqe se zibah kiya jaaye aur zaruri miqdaar mein is ka khoon kharij ho jaaye to jo khoon badan mein baaqi rah jaaye woh paak hai laikin agar (nikalne wala) khoon janwar ke saans lene se ya is ka sar buland jagah par hone ki wajah se badan mein palat jaaye to woh najis hoga.
95. Jis ande ki zardi mein khoon ka zarrah maujood ho, Ehteyaat-e-mustahab hai keh is se padhez kiya jaaye.
96. Woh khoon jo b'az auqaat dhoodh dhote hue naaza aata hai najis hai aur dhoodh ko bhi najis kar deta hai.
97. Agar danton ki rejon se nikalne wala khoon l'ab dahan se makhloot ho jaane par khatam ho jaaye to is l'ab se padhez laazim nahin hai.
98. Jo khoon chot lagne ki wajah se naakhoon ya khaal ke neeche jum jaaye agar is ki shakal aisi ho keh log Oose khoon naa kahen to woh paak hai aur agar khoon kahen aur woh zahir ho jaaye najis hoga.aisi surat mein agar naakhoon ya khaal mein sooraakh ho jaaye keh khoon badan ka zahiree hissaah samjha ja raha ho aur khoon ko nikal kar wuzu ya ghusl ke liye is muqaam ka paak karna bohut zayada takleef ka baa's ho to zaruri hai keh tayyamum kar le.
99. Agar kisi shakhṣ ko yeh pata naa chale keh khaal ke neeche khoon jum gaya hai ya chot lagne ki wajah se ghost ne aisi shakal ikhteyar kar lee hai to woh paak hai.
100. Agar khaanaa paakate hue khon ka ek zarrah bhi is mein gir jaaye to saara ka saara khaanaa aur bartan Ehteyaat-e-laazim ki bina par najis ho jaayega. Ubaal, haraarat aur aag inhein paak nahin kar sakte.
101. Peep y'ani woh zard mawwaad jo zakhm ki haalat behtar hone par oos ke charon taraf paida ho jata hai oos ke mut'liq agar yeh m'loom ho keh is mein khoon mila hua hai to woh paak hoga.

6-7 Kutta Aur Soor

102. Kutta aur soor najis hain hatta keh in ke baal, haddeean, panje, naakhoon aur ratoobatein bhi najis hain.

8 - Kafir

103. Kafir y'ani woh shakhṣ jo Allah T'ala ke wajood ya is ki wohdaniyat ka iqraar naa karta ho najis hai. Isi tarah ghalee (y'ani woh log jo aaemmah alaihemoos salaam mein kisi ko khuda kahen ya yeh kahen keh khuda, Imam mein halol kar gaya hai) aur khaarjee wa naasbee (woh log jo aaemmah alaih moossalaam se bair aur bughz ka izhaar Karen) bhi najis hain.

Isi tarah shakhṣ jo kisi Naabi ki naaboowat ya zarooreyat deen mein kisi ek ka aisa ankar kare juzwee taur par Yahi sahi, Rasool Akram Sallallaho alaih wa aaleh wasallam ki takzeeb ka sabab bane, najis hai. Albatta ahle kitaab y'ani yehoodee, 'eesaee aur majoosi paak mane jaayenge,
104. Kafir ka tamaam badan hatta keh oos ke baal, naakhn aur ratoobatein bhi najis hain.
105. Agar kisi naabaaligh bachhaae ke maa, baap, dada aur dadi kafir hon to woh bachhaa bhi najis hai. Albatta agar woh soojh boojh rakhta ho aur islaam ka izhaar karta ho to paak hai laikin agar apne waaldain se moonh modh kar musalmaan ki taraf maaeel ho ya tahqeeq kar raha ho to oos ke najis hone ka hukm laganaa mushkil hai. Haan! Agagr oos ke maa, baap dada aur dadi ya in mein se koi ek bhi musalmaan ho to maesla number 210 mein aane wali tafseel ke mutabiq woh bachhaa paak hoga.
106. Agar kisi shakhṣ ke mut'liq yeh ilm naa ho keh musalmaan hai ya nahin aur koi 'laamat oos ke musalmaan hone kin a ho to woh paak samjha jaayega laikin is par islaam ke dusre

Ehkaamaat ka itlaaq nahin hoga, maslan naa hi woh musalmaan aurat se shaadee kar sakta hai aur naa hi ise musalmaan ke qabrastaan mein daf'an kiya ja sakta hai.
107. Jo shakhṣ (khanwaadah rasaalat ke) baarah imaamon mein se kisi ek ko bhi dashmanee ki bina par gaali de, woh najis hai.

9 - Sharaab

108. Sharaab najis hai is ke a'lawa insaan ko masst kar dene wali cheezein najis nahin hain.
109. San'tee aur Tibbee alcohol ki tamaam aqsaam paak hain.
110. Agar angoor k eras mein khud bakhud ya pakane par ubaal aa jaaye to paak hai laikin is ka khaanaa peenaa haraam hai.
Isi tarah Ehteyaat-e- wajib ki bina par ubaala hua angoor haraam hai laikin najis nahin.
111. Khajoor, moonaaqqa, kishmish aur in ke sheere mein chahe ubaal aa jaaye to bhi paak hain aur in ka khaanaa halaal hai
112. Fuqqa' jo a'am taur se jow se tayyar hoti hai aur halke naashe ka sabab bantee hai haraam haiu aur Ehteyaat-e- wajib ki bina par najis hai. Laikin woh aabe jow paak aur halaal hai jo kisi qisam ke naashe ka sabab nahin bantee.

10 - Najaasat Khaane Waale Haiwaan ka Paseenaa

113. Oos oonth ka paseenaa jise insaani Najaasat khaane ki 'adat ho najis hai. Isi tarah Ehteyaat-e- wajib ki bina par is qism ke dusre Haiwaanaat ka paseenaa bhi najis hai.
114. Jo shakhs fa'el haraam se janoob hua ho oos ka paseenaa paak hai aur oos ke saath Namaaz bhi sahee hai.

Najaasat Sabit Hone Ke Tareeqe

115. Kisi bhi cheez ki Najaasat teen tareeqe se sabit hoti hai :

(1) Khud Insaan ko yaqeen ya 'qlee tareeqe se itmeenaan ho jaaye keh falan cheez najis hai. Agar kisi cheez ke mut'liq mahaz gumaan ho keh najis hai to is se padhez karna laazim nahin Lehaaza qahwe khaanon aur hotelon mein jahan laparwa log au raise log khaate peete hain jo Najaasat aur Tahaarat ka lehaaz nahin karte khaanaa khaane ki surat yeh hai keh jab tak insaan ko itmeenaan naa ho keh jo khaanaa is ke liye laya gaya hai woh najis hai is ke khaane mein koi harj nahin.

(2) Kisi ke ikhteyar mein koi cheez ho aur woh oos cheez ke baare mein kahe keh najis hai aur woh shakhṣ galat bayani naa karta ho maslan kisi shakhṣ ki biwi ya naaukar ya malaazma kahe keh bartan ya koi dusri cheez jo oos ke ikhteyar mein hai najis hai to woh najis shumaar hogi.

(3) Agar do 'adil aadmi kahen keh ek zheez najis hai to woh najis shumaar hogi bashart yeh hai keh woh is ke najis hone ki wajah bayan karein. Maslan kahen keh yeh cheez khoon ya maslan peshaab se najis hue hai. Haan! Agar ek 'adil ya qaabil itminaan shakhṣ itla' de laikin is ke baat se itminaan naa aaye to Ehteyaat-e- wajib ki bina par is se ijtenaab karna zaruri hai.

116. Agar koi shakhṣ maesle se 'adam waqfiyat ki bina par yeh naa jaan sake keh ek cheez najis hai ya paak – maslan ise yeh ilm naa ho keh chuhe ki mengnee paak hai ya nahin to ise chahi'e keh maesla puchh le. Laikin agar massela janta ho aur kisi cheez ke baare mein ise shak ho keh paak hai ya nahin maslan ise shak ho keh woh cheez khoon hai ya nahin ya yeh naa janta ho keh

machchhar ka khoon hai ya insaan ka to woh cheez paak shumaar hogi aur is ke baare mein chhaan been karna ya puchhnaa laazim nahin.

117. Agar kisi najis cheez ke baare mein shak ho keh paak ho gayi hai ya nahin to woh najis hai. Isi tarah agar kisi paak cheez ke baare mein shak ho keh naajis ho gayee hai ya nahin to woh paak hai. Agar koi shakhṣ in cheezon ke najis ya paak hone ke mut'liq pataa chalaa bhi sakta ho to tahqeeq zaruri nahin hai.

118. Agar koi shaks janta ho keh jo do bartan ya do kapdhe woh istemaal karta hai in mein se ek najis ho gaya hai laikin ise yeh ilm naa ho keh in mein se kaoon sa najis hua hai to dono se ijtenaab karna zaruri hai aur mishaal ke taur par agagr yeh naa janta ho keh khud is ka kapdha najis hua hai yaw ah kapdha jo is ke zere istemaal nahin hai aur kisi dusre shakhṣ ki malkiat hai to yeh zaruri nahin keh apne kapdhe se ijtenaab kare.

Paak Cheez Najis Kaise Hoti Hai

119. Agar koi paak cheez kisi najis se lag jaaye aur dono ya in mein se ek is qadar tar ho keh ek ki taree dusre tak pohoonch jaaye to paak cheez najis ho jaayegee laikin agar wasteh mat'dad ho jaaye to najis nahin hogi. Maslan agar dayaan haath peshaab se najis ho aur yeh haath ek naaee ratoobat ke sath baayein haath ko lage to bayan haath najis ho jaaye ga. Ab agar baayen haath khoosk hone ke b'ad maslan tar lebaas se lage to woh lebaas bhi najis ho jaayega laikin agar ab woh lebaas kisi dusri tar cheez ko lag jaaye to woh cheez najis nahin hogee. Haan! Agagr taree itni kam ho keh dusri cheez ko naa lage to paak cheez najis nahin hogi khawoh woh a'in najis ko hi kyoon naa lagi ho.

120. Agar koi paak cheez kisi najis cheez ko lag jaaye aur in dono ya kisi ek ke tar hone ke mut'liq shak ho to paak cheez najis nahin hoti.

121. Aisi do cheezein jin ke baare mein insaan ko ilm naa ho keh in mein se kaoon see paak hai aur kaoon see najis, agar ek paak aur tar cheez in mein kisi ek cheez ko chhoo jaaye to is se padhez karna zaruri nahin hai siwae b'az suraton mein jaise is surat mein jab in dono masshkook najis cheezon ki saabqa yaqeenee haalat Najaasat ki haalat ho ya maslan is surat mein jab koi aur paak cheez ratoobat ke sath dusri masshkook cheez se lag jaaye.

122. Agar zameen, kapdha ya aisi dusri cheezein tar hon to in ke jis hisse ko Najaasat lag gayee woh najis ho jaayega aur baaqi hissaah paak rahega. Yahi hukm kheere aur kharbooje waghairah ke baare mein hai.

123. Jab sheere, teil, (ghee) ya aisi hii kisi aur cheez ki surat aisi ho keh agar is ki kuchh miqdaar nikal li jaaye to is ki jagah khaali naa rahe to jyoon hi woh zarrah bhar bhi najis hoga saare ka saara najis ho jaayega laikin agar is ki surat aisi ho keh nikalne ke maqaam par jagah khaali rahe agar che b'ad mein pur ho jaaye to sirf wohi hissaah najis hoga jise Najaasat lagi ho. Lehaaza agar choohe ki mangnee is mein gir jaaye to jahan woh mengni giree hai woh jagah najis aur baaqi paak hogi.

124. Agar makkhi ya aisa koi aur janwar ek aisi tar cheez par baithe jo najis ho aur b'ad ek paak cheez par ja baithe aur yeh ilm ho jaaye keh is janwar ke sath Najaasat thee to paak cheez najis ho jaayegee aur agar ilm naa ho to paak rahegee.

125. Agar badan ke kisi hisse par paseenaa ho aur woh hissaah najis ho jaaye aur phir paseenaa bah kar badan ke dusre hisson tak chalaa jaaye to jahan jahan paseenaa bahega badan ke woh hisse najis ho jaayenge laikin agar paseenaa aage naa bahe to baaqi badan paak rahega.

126. Jo balgham naak ya gale se kharij ho agar oos mein khoon ho to balgham mein jahan khoon hoga najis aur baaqi hissaah paak hoga. Lehaaza agar yeh balgham moonh ya naak ke bahar lag jaaye to badan ke jis maqaam ke baare mein yaqeen ho keh najis malgham is par laga hai najis

hai aur jis jagah ke baare mein shak ho keh wohan balgham ka najaasat wala hissaah pohooncha hai ya nahin woh paak hoga.

127. Agar ek aisa lota jis ke pende mein sooraakh ho najis zameen par rakh deea jaaye aur is se bahne wala paani aage bahnaa boond hokar lot eke neeche is tarah jam' ho jaaye keh lot eke andar waale paani ke sath ise ek hee paani kahaa ja sake to lote ka paani najis ho jaayega laikin agar lote ka paani tezee ke sath bahta rahe to najis nahin hoga.

128. Agar koi cheez badan mein dakhil ho kar Najaasat se ja mile laikin badan se bahar aane par Najaasat aalood naa ho to woh cheez paak hai. Chunanche agar aneema ka saamaan ya is ka paani maq'd mein dakhil kiya jaaye ya suee, chakoo ya koi aur aisi cheez badan mein chubh jaaye aur bahar nikalne par Najaasat aalood naa ho to najis nahin hai. Agar thook aur naak ka paani jism ke andar khoon se ja mile laikin bahar nikalne par khoon aalod naa ho to is ka bhi yehee hukm hai.

Ehkaam Najaasat

129. Qur'aan Majeed ki tahreer aur warq ko najis karna jab keh yeh fa'el behurmati mein shumaar hota ho maslan haraam hai aur agar najis ho jaaye to fauran paani se dhonaa zaruri hai balkeh agar behurmati ka pahloo naab hi nikle tab bhi Ehteyaat wakib ki bina par kalaam paak ko najis karna haraam aur paani se dhonaa wajib hai.

130. Agar Qur'aan Majeed ki jild najis ho jaaye aur is se Qur'aan Majeed ki behurmati ho to jild ko paani se dhonaa zaruri hai.

131. Agar Qur'aan Majeed ko kisi a'in khajaasat maslan khoon ya murdaar par rakhnaa khawoh woh a'in Najaasat khoosk hee kyoon naa ho agar Qur'aan Majeedki behurmati ka ba'ash ho to haraam hai.

132. Qur'aan Majeed ko najis roshnaa'e se likhnaa khawoh woh ek harf hee kyoon naa ho ise najis karne ka hukm rakhta hai. Agar likha ja chuka ho to ise paani se dho kar ya chheel kar ya kisi aur tareeqe se mitaa denaa zaruri hai.

133. Agar kafir ko Qur'aan Majeed dena behurmati ka maujoob ho to haraam hai aur is se Qur'aan Majeed wapas le lenaa wajib hai.

134. Agar Qur'an Majeedka warq ya koi aisi cheez jis ka ehteraam zaruri ho, maslan aisa kaghaz jis par Allah T'ala ka ya Hazrat Rasool Akram Sallallaho Wa A'lehi Wasallam ya kisi Imaa Alaih Salaam ka naam likha ho baitul khula mein gir jaaye to is ka bahar nikalnaa aur ise dhonaa wajib hai khawoh is par kuchh raqam hee kyoon naa kharach karni paṛe aur agar is ka bahar nikalnaa mumkin naa ho to zaruri hai keh oos vaqt tak is baitul khula ko ihte'maal naa kiya jaaye jab tak yeh yaqeen naa ho jaaye keh woh ghul kar khatam ho gaya hai. Isi tarah agar khak shafa baitul khula mein gir jaaye aur is ka nikalnaa mumkin naa ho to jab tak yeh yaqeen naa ho jaaye keh woh bilkul khatam ho chuki hai, is baitul khula ko iste'maal nahin karna chahi'e.

135. Najis cheez ka khaanaa peenaa ya kisi dusre ko khilaanaa pilaanaa haraam hai laikin bachhaae ya diwaane ko khilaanaa pilaanaa jaayez hai aur agar bachhaa ya diwaanaa najis ghazaa khaaye peeye ya najis haath se ghazaa ko najis kar ke khaaye to ise roknaa zaruri nahin.

136. Jo najis cheez paak ki ja sakti ho ise bechne aur oodhaar dene mein koi harj nahin laikin is ke najis hone ke baare mein jab yeh do shartein maujood hon to khareedne ya oodhaar lene waale ko bataanaa zaruri hai.

> (1) Jab andesha ho keh dasra fareeq kisi wajib hukm ki makhaalfat ka martakab hoga maslan is (najis cheez) ko khaane ya peene mein iste'maal karega. Agar aisa naa ho to batanaa zaruri nahin hai. Maslan lebaas ke najis hone ke baare mein batanaa zaruri nahin

jise pahan kar dasra fareeq Namaaz pạrega kyoon naa keh lebaas ka paak honaa shart waq'ee nahin hai.

(2) Jab bechne ya oodhaar dene waale ko tawaqq' ho keh dasra fareeq is ki baat par a'malkarega aur agar woh jantra ho keh dasra fareeq is ki baat par a'malnahin karega to ise batanaa zaruri nahin hai.

137. Agar ek shakhṣ kisi dusre ko najis cheez khaate ya najis lebaas se Namaaz padḥte dekhe to ise is baare mein kuchh kahnaa zaruri nahin.

138. Agar ghar ka koi hissaah ya qaaleen ya (dari) najis ho aur woh dekhe keh oos ke ghar aane walon ka badan, lebaas ya koi aur cheez tari ke sath najis jagah se ja lagi hai aur sahib khaandaan is ka ba'es hua ho to do sharton ke sath jo guzishta maesle mein bayan hue hain in logon ko is baare mein aagah kar denaa zaruri hai.

139. Agar mezbaan ko khaanaa khaane ke dauraan pata chale keh ghazaa najis hai to dono sharton ke mutabiq jo maesla 132 mein bayan hue hain zaruri hai keh mehmaano ko is ke mutabiq aagah kar de laikin agar mehmaano mein se kisi ko is baat ka ilm ho jaaye to is ke liye dasron ko batanaa zaruri nahin. Albatta agar woh in ke saath yoon ghul mil kar rahta ho keh in ke najis hone ki wajah se woh khud bhi Najaasat mein mubtala ho kar wajib Ehkaam ki mukhaalfat ka martakab hoga to in ko bataanaa zaruri hai.

140. Agar koi udhaar li huee cheez najis ho jaaye to is ke maalik ko woh sharton ke saath jo maesle 132 mein bayan hue hain aagah kare.

141. Agar bachhaa kahe keh koi cheez najis hai ya kahe keh is ne najis cheez ko dho leea hai to is ki baat par i'tbaar nahin karna chahi'e laikin agar bachhaa mamayyaz ho aur najaasat wa tahaarat ko bakhoobi samajhta ho aur woh kahe keh is ne ek cheez paani se dhoee hai jab keh woh cheez is ke iste'maal mein ho ya bachhaae ka qaul a'temaad ke qaabil ho to is ki baat qabool kar leni chahi'e aur Yahi hukm hai jab keh bachhaa kahe keh woh cheez najis hai.

Mutaheraat

142. Baarah cheezein aisi hain jo Najaasat ko paak kaeti hain aur inhein Mutaheraat kahaa jata hai.

(1) Paani (2) Zameen (3) Suraj (4) Istehaalah (5) Inqelaab (6) Inteqaal (7) Islaam (8) Tab'eet (9) a'ein Najaasat ka za'el ho janaa (10) Najaasat khor Haiwaan ka istibra (11) Musalmaan ka ghaeb ho janaa (12) Zabeeha ke badan se khoon ka nikal janaa.

I. Paani

143. paani chaar sharton ke saath najis cheez ko paak karta hai :

(1) Paani mutlaq ho. Muzaaf paani maslan a'raq, gulaab ya a'raq beir moosk se najis cheez paak nahin hoti.

(2) Paani paak ho.

(3) Najis cheez ko dhone ke dauraan paani muzaaf naa ban jaaye. Jab kisi cheez ko paak karne ke liye paani se dhoa jaaye aur is ke b'ad mazeed dhonaa zaruri naa ho to yeh bhi laazim hai keh is paani mein Najaasat ki boo, rang ya zaa'eqa maujood naa ho laikin agar dhone ki surat is se mukhtalif ho (y'ani woh aakhri dhonaa ho) aur paani ki boo, rang ya zaa'eqa badal jaaye to is mein koi harj nahin. Maslan agar koi cheez kurr paani ya qaleel paani se dh'ee jaaye aur ise do martaba dhonaa zaruri ho to khawoh paani ki boo, rang aur zaa'eqa pehli daf'a dhone ke vaqt badal jaaye laikin dusri daf'a iste'maal kiye jane waale paani mein aisi koi tabdeeli naa ho to woh cheez paak ho jaayegi.

(4) Najis cheez ko paani se dhone ke b'ad is mein a'in Najaasat ke zarraat baaqi naa rahen. Najis cheez ko qaleel paani y'ani ek kurr se kam paani se paak karne ki kuchh aur sharaet bhi hain jin ka zikr kiya ja raha hai:

144. Najis bartan ke androonee hisse ko qaleel paani se teen daf'a dhonaa zaruri hai aur kurr ya jaari paani se Ehteyaat-e- wajib ki bina par Yahi hukm hai laikin jis bartan se kutte ne paani ya koi mae'l cheez pee ho Oose pehle paak mitti se manjhnaa chahi'e is bartan se mitti ko door karna chahi'e, is ke b'ad qaleel ya kurr ya jaari paani se do daf'a dhonaa chahi'e.Isi tarah agar kutte ne kisi bartan ko chaata ho aur koi cheez is mein baaqi rah jaaye to ise dhone se pehle mitti se manjhnaa zaruri hai. Albatta agar kutte ka la'ab kisi bartan mein gir jaaye ya is ke badan ka koi aur hissaah is bartan se lage to Ehteyaat-e-laazim ki bina par ise mitti se manjhne ke b'ad teen daf'a paani se dhonaa zaruri hai.

145. Jis bartan mein kutte ne moonh dala hai agar is ka moonh tang ho to oos mein mitti daal kar khoob hilayen takeh mitti bartan ke tamam aitraaf mein pohoonch jaye. Oos ke b'ad oosi tarteeb ke mutabiq dhoen jis ka zikr sabqa massle mein ho chukka hai.

146. Agar kisi bartan ko suwar chaate ya oos mein se koi siyaal cheez pi le ya oos bartan mein joongle chuha mar gaya ho Oose qaleel kurr ya jaari paani se saat martaba dhona zaruri hai- laikin mitti se maanjhna zaruri nahi.

147. Jo bartan sharaab se najis ho gaya ho Oose teen martaba dhona zaruri hai is baare mein qaleel ya kur yaa jaari paani ka koi farq nahi hai aur ehteyaat-e-mustahab yeh hai ke Oose saat baar dhoyaa jaaye.

148. Agar ek aise bartan ko jo najis mitti se tayyar hua ho ya najis paani saraayat kar gaya ho kurr yaa jaari paani mein daal diya jaaye to jahan jahan woh paani pohooonchegaa who bartan paak ho jaayega aur agar bartan ke andarooni ajzaa ko bhi paak karna maqsood ho to Oose kurr yaa jaari paani mein itni dier tak pada rehne dena chahiye ke paani tamaam bartan mein saraayat kar jaaye aur agar bartan mein koi aisi nami ho jo paani jo paani ke andarooni hisso tak pohochne mein maaane ho to pehle Oose khoosh kar lena zaruri hai aur phir bartan ko kurr yaa jaari paani mein daal dena chahiye.

149. Najis bartan ko kurr ya jaari paani se do tariqo se dhoyaa jaa sakta hai:

(Pehla tariqa) bartan ko teen daf'a bharaa jaaye aur har daf'a khali kar diya jaaye-

(Dasra tariqa) bartan mein teen daf'a moonasib miqdaar mein paani dalein aur har daf'a paani ko yoon ghumaaye ke woh tamaam najis maqamaat tak pohooonch jaaye aur phir Oose gira dein.

150. Agar bada bartan deg yaa martabaan najis ho jaaye to teen daf'a paani se bharne aur har daf'a kahli karne se bartan paak ho jaata hai-isi tarah agar oos mein teen daf'a uupar se paani is tarah oondeilein ke oos ki tamaam atraaf tak pohoonch jaaye aur har daf'a oos ke the mein jo paani jamaa ho jaaye oos ko nikaal de to bartan paak ho jaayegaa-agrache ehteyaat-e-mustahab ye hai ke dusri aur teesri baar jis bartan ke zariye paani baaharnikala jaaye oose bhi dho liya jaaye.

151. Agar najis taambe wagairah ko phighlaa ke dho liya jaaye to ooska zaahiri hissa paak ho jaayega-

152. Agar tan'ur peshaab se najis ho jaaye aur oos mein uapr se ek martaba yoon paani daala jaaye ke ooski tamaam aitraaf mein pohoonch jaaye to tan'ur paak ho jaayega aur ehyiyaat-e-mustahab yeh hai ki ye amal do daf'a kiya jaaye aur agar tan'ur peshaab ke a'lawa kisi aur cheez se najis hua ho to nijasat door karne ke ba'd mazkrah tariqe ke mutabiq oos mein ek daf'a paani daalna kaafi hai aur behtar ye hai ke tan'ur ki teh mein ghada khod liya jaaye jis mein paani jamaa ho sake phir oos paani ko nikaal liyaa jaaye aur ghad ko paak mitti se pur kar diya jaaye-

153. Agar kisi najis cheez ko kurr ya jaari paani mein ek daf'a yoon duboyaa jaaye ke paani ke tamaam najis maqamaat tak pohoonch jaaye to woh cheez paak ho jaayegi aur qaleen ya dari ya libaas wagyarah ko paak karne ke liyeoose nichodna aur oosi tarah se malna ya ragadna zaruri nahi hai aur agar badan yaa libaas peshaab se najis ho gaya ho to oose kurr paani mein do daf'a dhona bhi laazim hai-albatta jaari paani mein ek daf'a dhona kaafi hai-
154. Agar kisi aisi cheez ko jo peshaab se najis ho gayi ho qaleel paani se dhona maqsood ho to oos par ek daf'a yoon paani bahaaye ke peshaab oos cheez par baaki na rahe to woh cheez paak ho jaaye gi-albata libaas ya badan pe do daf'a paani bahana zaruri hai taake woh paak ho jaaye-laikin jahan tak libaas qaleen dari ya oonse milti julti cheezon ka taa'luk hai oonhein har daf'a paani daalne ke ba'd nichodna chahiye taaki ghalisa oon mein se nikal jaaye-(ghalisa ya dhowan oos paani ko kehte hain hain jo kisi dhoyi jaane wali cheez se dhulne ke duaraan ya dhul jaane ke ba'd khud ba khud nichodne se nikalta ho)-
155. Jo cheezein aisi sheer khwaar ladke ya ladki ke peshaab se najis ho jaaye jisne doodh ke a'lawa koi ghiza khana shuru na ki ho agar oos par ek daf'a yoon paani daala jaaye ke tamaam najis maqamaat pe pohoonch jaaye to woh cheez paak jaaye gi laikin ehteyaat-e-mustahab ye hai ke mazeed eek baar oos par paani daala jaaye-libaas qaleen dari wagairah ko nichodna zaruri nahi-
156. Agar koi cheez peshaab ke a'lawa kisi aur cheez se najis ho jaaye to najasat door karne ke ba'd ek daf'a qaleel paani oos par daal diya jaaye-jab woh paani beh jaaye to woh cheez paak ho jaati hai-albatta libaas aur oosse milti julti cheezon ko nichodna zaruri hai take oon ka dhowan nikaal diya jaaye
157. Agar kisi najis chataayi ko jo dhaagon se bani huee ho kurr yaa jaari paani mein dubo diya jaaye to ain-e-najasat door hone ke ba'd woh paak ho jaayegi laikin agra oose qaleel paani se dhoya jaaye to jis tarah bhi mumkin ho oos ka nichodna zaruri hai khawoha oose paa'o hi kyoon na chalaane pade take oos ka dhowan alag ho jaaye-
158. Agar gandum chawal ya saaban wagyarah ka uupar wala hissa najis ho jaaye to woh kurr yaa jaari paani mein dubone se paak ho jaayega-oonhein qaleel paani se bhi paak kiya jaa sakta hai-laikin agar oon ka andarooni hissa najis ho jaaye to kurr ya jaari paani ke oon chezon ke andar tak pohoonchne par ye paak ho jaati hai-
159. Agar saaban ka zaahiri hisa najis ho jaaye to oose paak kiya jaa sakta hai jabki agar ooska batini hissa najis ho jaaye to woh paak nahi ho sakta-haan! Agar kisi shaks ko is baare mein shak ho ke najis paani saaban ke andarooni hisse tak saraayat kar gaya hai ya nahi to woh hissa paak hoga-
160. Agar chawal ya ghost ya aise hi kisi cheez ka zaahiri hissa najis ho jaaye to kisi paak piyaaleyaa ooske misl kisi cheez mein rakh k eek daf'a oos par paani daalne aur hir phenk dene ke ba'd woh cheez paak ho jaati hai aur agar kisi najis bartan mein rakhe to yeh kaam teen baar anjaam dena zaruri hai aur oos surat mein woh bartan bhi paak ho jaayega laikin agar libaas ya kisi dusri aisi cheez ko bartan mein daal kar paak karna maqsood ho jis ka nichodna laazim ho to jitni baar oos par paani daal jaaye oosenichodna zaruri hai aur bartan ko ulat dena chahiye taake jo dhowan oos mein jamaa ho gaya ho woh beh jaaye-
161. Agar kisi najis libaas ko jo neel ya oos jaisi chaaz se rangaa gaya ho kurr ya jaari paani mein duboyaa jaaaye kapde ke rang ki wajah se paani muzaaf hone se kabl tamaam jagah pohoonch jaaye to woh paak ho jaayega aur agar oose qaleel paani se dhoyaa jaaye aur nichodne par oos mein se muzaaf paani na nikle to woh libaas paak ho jaata hai-

162. Agar kapde ko kurr yaa jaari paani se dho liyaa jaaye aur ba'd mein kaayi wagyarah kapbe mein nazar aaye aur ye ehtemeel na ho key eh kapde ke andar paani pohoonchne mein maaane huee hai to woh kapda paak hai-
163. Agar libaas ya oosse milti julti cheez ke dhone ke ba'd mitti ka zarrah ya saaban oos mein nazar aaye aur ahtemaal ho ke ye kapde ke andar paani pohoonchne mein maaane hua hai to woh paak hai laikin agar najis paani yaa mitti yaa saban saraayat kar gaya ho to mitti aur saaban ka uupar wala hissa paak aur ooska andarooni hissa najis hoga
164. Jab tak ain-e-najasat kisi najis cheez se alag na ho woh paak nahi hogi laikin agar boo yaa najasat ka rang oos mein baaki reh jaaye to koi harj nahi-lehaaza agar khoon libaas par se hata diya jaye aur libaas dho liya jaaye aur khoon ka rang libaas par baaki jaaye to woh paak hoga-
165. Agar kurr ya jaari paani se badan ki najasat door kar li jaaye to badan paak ho jaata hai laikin agar badan peshaab se najis ho jaaye to oos surat mein ek daf'a paak nahi haoga laikin paani se nikal aane ke ba'd dobaara paani mein jaana zaruri nahi hai balke agar paani ke andar hi badan par is tarah haath pher liya jaaye ke paani badan se juda ho kar do daf'a badan tak pohoonch jaaye to kaafi hai-
166. Agar najis ghiza daaton ke rehno mein reh jaaye aur paani muh mein bhar kar yoon ghumaaya jaaye ke tamaam najis ghiza tak pohoonch jaaye to woh ghiza paak ho jaati hai-
167. Agar sar ya chehre ke baalon ko qaleel paani se dhoyaa jaaye aur woh baal ghane na ho to oon se dhowan juda karne ke liye oonhein nichodna zaruri nahi hai kyoonki paani maamool ke mutabiq khud juda ho jaata hai-
168. Agar badan ya lebaasi ka koi hissa qaleel paani se dhoyaa jaaye to najis maqaam ke paak hone se oos maqaam se matsal woh jagahein bhi paak ho jaaayegi jintak dhote vaqt amooman paani pohoonch jaayegaa matlab yeh hai ke najis maqaam ke atraaf koalheda dhone zaruri nahi hai balke woh najis maqaam ko dhon ke saath hi paak ho jaate hai aur agar ek paak cheez ek najis cheez ke saath rakh di jaaye aur dono par paani dale to ooska bhi yahi hukm hai. Lehaaza agr ek najis oongli ko paak karne ke liye sab oongliyoon par paani daale aur najis paani sab oongliyo tak pohoonch jaaye to najis oongli ke paak hone ke saath saath sabhi oongliyaa paak ho jaaye gi-
169. Jo ghosht ya charbi najis ho jaaye dusri cheezon ki tarah paani se dhoyi jaa sakti hai-yahi surat oos badan ya libaas ki hai jois par thodi bohot chiknaayi ho jo paani ko badan ya libaas tak pohoonchne se roke-
170. Agar bartan ya badan najis ho jaaye aur ba'd mein itna najis ho jaayeke paani oos tak pohoonch na sake aue bartan ya badan ko paak karna maqsood ho to pehle chiknaayi door karna chahiye taake paani oon tak (y'ani bartan yaa badan tak) pohoonch sake-
171. Jo nal kurr paani se matsal ho woh kurr paani ka hukm rakhta hai-
172. Agar kisi cheez ko dhoyaa jaaye aur yaqeen ho jaaye ke paak hp gayi hai laikin ba'd mein shak guzre kea in-e-najasat oosse door huee hai yaa nahi to zaruri hai ke oose dobaara paani se dho liya jaaye taake yaqeen aa jaaye ke ain-e-najasat door ho gayi hai-
173. Woh zameen jis mein paani jaszb ho jaata ho maslan aisi zameen jis ki satah ret ya bajri par mooshtamil ho agar najis ho jaaye to qaleel paani se paak ho jaati hai-
174. Agar woh zameen jiska farsh patthar ya eeton ka ho ya dusri sakht zameen jis mein paani jazb na hota ho najis ho jaaye to qaleel paani se paak ho sakti hai laikin zaruri hai ke oos par itna paani daala jaaye ke behne lage-jo paani uupar daala jaaye agar woh kisi gutter wagairah se baahar na nikal sake aur kisi jagah jamaa ho jaaye to oos jagah ko paak karne ka tariqa yeh hai ke jamaa shuda paani ko kapde ua bartan se baahar nekaa diyaa jaaye-

175. Agar ma'adani namak ka dhela ya oos jaisi koi aur cheez uupar se najis ho jaaye to qaleel paani se paak ho sakti hai-

176. Agar phigli huee najis shakkar se kand bana lein auruse kurr ya jaari paani mein rakh de to woh paak nahi hogi-

177. Zameen, paon ke talwe aur joote ke nichle hisse ko chaar sharton se paak karti hai :

1) Yeh keh zameen paak ho.
2) Yeh keh zameen khushk ho.
3) Ehteyaat lazim ki bina par najasat zameen se lagi ho.
4) A'in najasat maslan khoon aur peshaab mutnajis cheez maslan mutnajis mitti jo paon ke talwe ya joote ke nichle hisse mein lagi ho woh raasta chalne se ya paon zameen par ragadne se door ho jaaye laikin agar a'in najasat par chalne ya zameen par ragadne se pahle hi door ho gayee ho to ehteyaat lazim ki bina par paak nahin honge. Albatta yeh zaruri hai keh zameen mitti ya paththar ya inton ke farsh ya oon se milti julti cheez par mooshtamil ho. Qaleen, dari, chata'ee, ghaas par chalne se paon ka najis talwa ya joote ka najis hissa paak nahin hota.

178. Paon ka talwa ya joote ka nichla hissa najis ho to daamar par ya lakdi ke bane hu'e farsh par chalne se paak hona mahel ashkaal hai.

179. Paon ka talwa ya joote ka nichle hisse ko paak karne ke liye behtar hai keh pandra zara'a ya oos se zayada faasla zameen par chale khawoh pandra zara'a se kam chalne ya paon zameen par ragadne se najasat door ho gayee ho.

180. Paak hone ke liye paon ya joote ke najis talwe ka tar hona zaruri nahin balkeh khushk bhi hon to zameen par chalne se paak ho jaate hain.

181. Jab paon ya joote ka najis talwa zameen par chalne se paak ho jaaye to oos ke aitraaf ke woh hisse bhi jinhein amumoon keechar waighaira lag jati hai paak ho jaate hain.

182. Agar kisi aise shakhs ke haath ki haatheli ya ghutna najis ho jaaye jo haathon aur ghutno ke bal chalta ho to oos ke raaste chalme se oos ki haatheli ya ghutne ka paak ho jana mahel ishkaal hai. Yahi surat laathhi aur massnuee taang ke nichle hisse, chaupaaye ke nail, motor gardion aur dusri gadion ke pehion ki hai.

183. Agar zameen par chalne ke b'ad najasat ki boo, roong ya baareek zarre jo nazar na aayen paon ya joote ke talwe se lage rah jayen to koi harj nahin agarche Ehteyaat-e-mustahab yeh hai keh zameen par is qadar chala jaaye keh woh bhi ra'el ho jayen.

184. Joote ke androoni hissa zameen par chalne se paak nahin hota aur zameen par chalne se moze ke nichle hisse ka paak hona bhi ishkaal hai. Lelin agar moze ka nichla hissa chamde ya chamde se milte julti cheez se bana ho aur oose pehan kar chalne ka riwaaj ho to woh zameen par chalne se paak ho jaayega.

III. Sooraj

185. Sooraj – zameen, 'A'marat aur deewaar ko paanch sharton ke saath paak kartaa hai :

(1) Najis cheez is tarah tar ho keh agar dusri cheez is se lage to tar ho jaaye. Lehazaa agar woh cheez khushk ho to ise kisi tarah tar kar kar lenaa chahi'e takeh dhoop se khushk ho

(2) Is mein koi a'in Najaasat baaqee naa rah gayee ho.

(3) Koi cheez dhoop mein rukavat naa ḍaale. Pas agar dhoop parde, ba'dal ya aisi hee kisi cheez ke pichhe se najis cheez par paṛe aur ise khushk kar de to woh cheez paak hogee. Albattah agar ba'dal itnaa halka ho keh dhoop ko naah roke to koi harj nahin.

(4) Faqat Sooraj najis cheez ko khushk kare. Lehazaa mishaal ke taur par agar najis cheez havaa aur dhe khushk ho to paak nahin hotee. Haan ! agar kaifeeyat yeh ho keh yeh kahaa jaa sake keh yeh najis cheez dhoop se khushk hu'ee hai to phir koi harj nahin.

(5) A'marat ke jis hisse mein Najaasat sarayat kar gayee hai dhoop se ek hee martabah khushk ho jaaye. Pas agar ek daf'a dhoop najis zameen aur 'A'marat par paṛe aur is ka saamne walaa hissah khushk kare aur dusri daf'a nichle hisse ko khushk kare to is ka saamne vaalaa hissah paak hoga aur nichlaa hissah najis rahegaa.

In dono suraton mein bachche ke tabi'yat ki bina par paak hone ki shart yeh hai keh woh jab bash'oor ho jaaye to kufr ka izhaar naa kare.

186. Sooraj, najis chattaa'ee ko paak kar detaa hai laikin agar is ki banaavat mein dhaage iste'maal hu'e hon to anhein paak nahin kartaa. Isi tarah darakht, deevaar aur darvaaze, khirkiyan sooraj se paak hone mein ishkal hai.

187. Agar dhoop najis zameen par pare, b'ad azaan shak paidaa ho dhoop paṛne ke vaqt zameen tar thee ya nahin ya taree dhoop ke zaree'e khushk hu'ee ya nahin to woh zameen najis hogee aur agar shak paidaa ho keh dhoop parne se pehle a'in Najaasat zameen par se hataa dee gayee thee ya nahin ya yeh keh koi cheez dhoop ko man' thee ya nahin to phir zameen ka paak honaa mahal ishkal hai.

188. Agar dhoop najis deevaar ki ek taraf paṛe aur is zaree'e deevaar ki woh jaanib bhi khushk ho jaaye jis par dhoop nahin paṛee to b'eed nahin keh deevaar dono taraf se paak ho jaaye. Laikin agar ek din is ke zaaheree hisse ko khushk kare aur agle din baatinee hisse ko khushk kare to sirf is ka zaahiree hissah paak hoga.

IV. Istehaalah

189. Agar kisi najis cheez ki jins yoon badal jaaye keh ek paak cheez ki shakal ikhteyar kar le to woh paak ho jaati hai. Mishaal ke taur par najis lakṛee jal kar raakh ho jaaye ya kutta naamak ki kan mein gir kar naamak ban jaaye. Laikin is cheez ki jins naa badle maslan najis gehoon ka aataa pees liya jaaye (najis aate ki) rotee paka lee jaaye to woh paak nahin hogee.

190. Mitti ka koojah aur dusri aisi cheezein mitti se banaa'ee jaayen najis hain laikin woh ko'elah jo najis lakṛee se tayar kiya jaaye agar is mein lakṛee ki koi khaaṣiyat baaqi naa rahe to woh ko'elah paak hai. Agar mitti ko aaag mein paka kar eeṇt ya safaal banaa liya jaaye to Ehteyaat-e-waajib ki bina par najis hai.

191. Aisi najis cheez ke mut'liq 'im naah ho keh aaaya is ka istehaalah hua hai ya nahin (y'ani jins badalee hai ya nahin) najis hai.

5 – Inqelaab

192. Agar sharaab khud bkhud ya koi cheez milaane se maslan sarkah aur naamak milaane se sarkah ban jaaye to paak ho jaati hai.

193. Woh sharaab jo najis angoor ya is jaisi kisi dusri cheez se tayar ki gayee ho ya koi najis cheez sharaab mein gir jaaye to sarkah ban jaane se paak nahin hotee.

194. Najis angoor, najis kishmish aur najis khajoor se jo sarke tayyar kiya jaaye woh najis hai.

195. Agar angoor ya khajoor ke danthal bhi in ke saath hon aur in se sarkah tayyar kiya jaaye to koi harj nahin balkeh isi bartan kheere aur baingoon waghairah daalne mein bhi koi harj nahin khavah angoor ya khajoor ke sarkeh banne se pahle hee daale ja'en bashart hai keh banne se pahle in mein nassah naa paidaa huaa ho.

196. Agar angoor ke rus mein, aag par rakhne se ya khud bakhud oobaal aa ja'e to woh haraam ho jaataa hai aur agar woh itnaa oobul ja'e keh is ka do tehayee hissah kam ho ja'e aur ek

tehayee baaqi rah ja'e to halaal ho jaataa hai to phir sirf isi mein paak ho saktaa hai jub sarkah boon ja'e. Massa'leh (110) mein bataya jaa chuka hai keh angoor ka rus oobaal aane par najis nahin hota.
197. Agar angoor ke rus ka do tehayee hissah baghair josh mein aa'ye kam ho jaaye aur jo baaqi bache is mein josh aa jaaye to agar log ise angoor ka rus kahen, sheeraa na kahen to Ehteyaat-e-laazim ki bina par woh haraam hai.
198. Agar angoor kerus ke mut'liq yeh m'loom na ho keh josh mein aya hai ya nahin to woh halaal hai laikin agar josh mein aa jaaye aur yeh yaqeen na ho keh is ka do tehaaee kam huaa hai ya nahin to woh halaal nahin hota.
199. Agar kachche angoor ke khoshe mein kuchh pake angoor bhi hon aur jo rus is khoshe se liya jaaye ise log angoor ka rus na kahen aur is mein josh aa jaaye to is ka peenaa halaal hai.
200. Agar angoor ka ek daanah kisi aisi cheez mein gir jaaye jo aag par josh khaa rahee ho aur woh bhi josh khaane lage Laikin woh is cheez mein hul na ho to Ehteyaat-e-waajib ki bina par faqat is daane ka khaanaa haraam hai.
201. Agar chand deghon mein sheeraa pakaya jaaye to jo chamcha josh mein aa'ee hu'ee deig mein daalaa jaa chuka ho woh is ka aisi deig mein daalnaa bhi jayez hai jis mein josh na aya ho.
202. Jis cheez ke baare mein yeh na ma'loom ho keh woh kuchche angoor hain ya pakke angoor, agar is mein josh aa jaaye to halaal hai.

VI. Inteqaal

203. Agar insaan ya uchhalne walaa khoon rakhne waale haiwaan ka khoon, koi aisaa haiwaan choos le jis mein a'rfan khoon nahin hota, woh khoon is haiwaan ke badan ka juz ban jaane ke qaabil ho, maslan machchhar, insaan ya haiwaan ke badan se khoon choose to woh khoon paak ho jaataa hai aur ise inteqaal kahte hain. Laikin a'laaj ki garz se insaan ka jo khoon jonk choosi hai choo na keh yeh tay nahin hai keh woh jonk ke badan ka hissah boon jaayegaa, lehaaza najis hee rahtaa hai.
204. Agar koi shaksh apne badan par baithe hu'e machchar ko maar de aur woh khoon jo machchhar ne choosaa ho is ke badan se nikle to woh khoon paak hai kioo naa keh woh khoon is qaabil thaa keh machchhar ki ghazaa boon jaaye, agar che machchhar ke khoon choosne aur maare jaane ke darmeyan waqfah bohut kam ho. Laikin Ehteyaat-e-mustahab yeh hai keh is khoon se is haalat mein padhez Karen.

VII. Islaam

205. Agar koi kafir shahaadatain (Laa 'Iaahaa Illalhaa Muhammadur Rasool allah) padh le y'ani kisi bhi zabaan mein Allah ki wohdaaniyat aur Khatamul Nabi'een Hazrat Muhammad bin 'Abdullah alaih waa aalehi wasallam ki naboowat ki gawaahee de de to musalmaan ho jaataa hai aur agar che woh musalmaan hone se pahle najis ke hukm meeen thaa Laikin musalmaan ho jaane ke b'ad is ka badan, thook, naak ka paani aur paseenaa paak ho jaataa hai Laikin musalmaan hone ke vaqt agar is ke badan par koi a'yn najaasat ho to ise door karna aur is maqaam ko paak se dhonaa zaruri hai balkeh agar musalmaan hone se pahle hee a'n najaasat door ho chooki ho tab bhi Ehteyaat-e-waajib yeh hai keh is maqaam ko paani se dho daale.
206. Ek kafir ke musalmaan hone se pahle agar is ka geelaa lebaas is ke badan se chhoo gaya ho to is ke musalmaan hone ke vaqt woh lebaas is ke badan par ho ya no ho Ehteyaat-e-waajib ki bina par is se Ehteyaat karna zaruri hai.
207. Agar kafir shahaadatain padh le aur yeh m'loom na ho keh woh dil se musalmaan huaa hai ya nahin to woh paak hai aur agar yeh i'lm ho keh woh dil se musalmaan nahin huaa Laikin aisi

koi baat is se zaahir na hoo'ee ho jo tauheed aur rasaalat ki shahaadat ke manaafee ho to surat wohee hai (y'ani woh paak hai).

VIII. Tabi'yat

208. Tabi'yat ka matlub yeh hai keh koi najis cheez kisi dusri cheez ke baare paak hone ki wajah se paak ho jaaye.

209. Agar sharaab sarkah ho jaaye to is ka bartan bhi is jagah tak paak ho jaataa hai jahan tak sharaab josh khaa kar pohoonchee ho aur agr kapda ya dusri koi cheez jo a'muman(sharaab ke bartan) par rakhee jaati hai aur is se najis ho gayee ho to woh bhi paak ho jatee hai. Laikin agar bartan ki beroonee sateh sharaab se aalood ho jaaye to ihteaa'e to Ehteyaat-e-waajib yeh hai keh sharaab ke sarkah ho jaane ke b'ad is sateh se padhez kiya jaaye.

210. Kafir ka bachchaa bazari'h tabi'yat do suraton mein paak ho jaataa hai :

1) Jo kafir mard musalmaan ho jaaye is ka bachchah tahaarat mein is ke taab'e hai aur isi tarah bachche ki maan ya daadee ya daadaa musalmaan ho jaayen tab bhi yahee hukm hai. Laikin isi surat mein bachche ki tahaarat ka hukm is se massharoot hai keh bachchah is nau mooslim ke saath aur is ke zere kafaaliyat ho nez bachche ka koi aur zayadah qareeb ristehdaar is bachche ke humraah na ho.

(2)Ek kafir bachche ko kisi musalmaan ne qaid kar liya ho aur is bachche ke baap ya daadaa pardaadaa mein se koi ek bhi is ke humraah ho.

In dono suraton mein bachche ke tabi'yat ki bina par paak hone ki shart yeh hai keh woh jab bash'oor ho jaaye to kufr ka izhaar naa kare.

211. Woh takhtaa ya sil par mayyat ko ghusl diya jaataa hai aur woh kapda jis se mayyat ki sharamgaah dhaanpee jaati hai nez ghassaal ke haath, yeh tamaam cheezein jo mayyat ke ghusl ke saath dhul jaati hain, ghusl mukamal hone ke b'ad paak ho jatee hain.

212. Agar koi shaksh kisi cheez ko paani se dho'e to is ke paak hone par is shakhs ka woh haath bhi paak ho jaataa hai jo is ke saath dhul gaya hai.

213. Agar lebaas ya is jaisi koi cheez ko qaleel paani se dhoa ja'e aur itnaa nichor diya jaaye jitnaa a'am taur par nichora jaataa ho takeh jis paani se dhoea gaya hai is ka dhovan nikal jaaye to jo paani is mein rah jaaye woh paak hai.

214. Jab najis bartan ko qaleel paani se dhoea jaaye to jo paani bartan ko paak karne ke li'ye is par daalaa jaaye is ke bah jaane ke b'ad jo m'amoolee paani is mein baaqee rah jaaye woh paak hai.

IX. A'in najaasat ka door honaa

215. Agar kisi haiwaan ka badan a'in najaasat maslan khoon ya najis shudaa cheez maslan najis paani se aaloodah ho jaaye to jab woh najaasat door ho jaaye haiwaa badan paak ho jaataa hai.Yahee surat insaanee badan ke androoni hissason ki hai, maslan moonh ya naak aur kan keh woh baahar se najaasat lagne se najis ho jaayenge aur jab najaasat door ho jaaye to paak ho jaayenge Laikin daakhalee najaasat maslan daanton ke rekhon se khoon nikalne se badan ka androonee hissah najis nahin hota aur yahee hukm hai jab kisi kharjee cheez ko badan ke androonee hisseh mein najaasat daakhalee lag jaaye to woh cheez najis nahin hotee. Is bina par agar maznu'ee daant moonh ke andar dusre daanton ke rekhon se nikle hu'e khoon se aaloodaah ho jaaye to in daanton ko dhonaa laazim nahin hai Laikin agar in maznu'ee daanton ko najis ghazaa lag jaaye to in ko dhonaa laazim hai.

216. Agar daanton ki rekhon mein ghazaa lagee rah jaaye aur phir moonh ke androonee khoon nikal aa'e to woh ghazaa khoon milne se najis nahin hotee.

217. Honthon aur aankh ki palkon ke woh hisse jo boond karte vaqt ek dusre se mil jaate hain woh androonee hisse ka hukm rakhte hain. Agar is androonee hisse mein kharij se koi najaasat lag jaaye to is androonee hisse ko dhonaa zaruri nahin hai Laikin woh maqaamaat jin ke baare mein insaan ko yeh 'im na ho ke haya inhein androonee hisse samjhaa jaaye ya bairoonee, agar kharij se najaasat in maqaamaat par lag jaaye to inhein dhonaa zaruri hai.
218. Agar najis mitti ya dhool kapde ya khoosk qaaleen, daree ya aisi hee kisi aur cheez ko lag jaaye aur kapde waghairah ko y'oon jhaaraa jaaye keh najis mitti ki yaqeenee miqdaar is se alag ho jaaye to woh lebaas aur farsh paak maane jaayenge aur inhein dhonaa zaruri nahin.

X. Najaasat Khor Haiwaan ka Istebra'

219. Jis haiwaan ko insaanee najaasat ki 'adat par gayee ho is ka peshaab aur paakhaanah najis hai aur agar ise paak karna maqsood ho to is ka istebra' karna zaruri hai. Y'ani ek 'rse tak ise najaasat na khaane dein aur paak ghazaa dein hatta keh itnee muddat guzar jaaye keh phi rise najaasat khaane walaa na kahaa jaa sake aur Ehteyaat-e-mustahab ki bina par najaasat khaane waale oont ko chaalish din tak, gaa'e ko bees din tak, bhair ko das din tak, marghaabi ko saat din ya paanch din tak aur paaltoo murghee ko teen din tak najaasat khaane se baaz rakhaa jaaye. Agar che muqarrah muddat guzarne se pahle bhi inhein najaasat khaane waale haiwaan na kahaa jaa rahaa ho.

XI. Musalmaan ka ghaa'eb ho janaa

220. Agar baaligh ya tahaarat wa najaasat ki samajh rakhne waale musalmaan ka badan ya lebaas ya dusri ashya' maslan bartan aur daree wagairah jo oos ke iste'maal mein hon najis ho jaayen aur phir woh wohaan se chalaa jaaye aur phir insaan ko is baat ka aqalee ihtemaal ho keh is ne cheezein dho lee to woh paak hon gee.
221. Agar shakhs ko yaqeen ya itminaan ho keh jo cheez pahle najis thee ab paak ho gayee hai ya do 'adil ashkhaas is ke paak hone ki gawaahee dein aur gawaahee mein is sabab ko bayan Karen jis se woh cheez paak hu'ee ho, maslan yeh gawaahee dein keh peshaab se najis shudaa falaan lebaas ko do baar dho liya gaya hai to woh cheez paak hai. Isi tarah agar woh shakhs jis ke paas koi najis cheez ho kahe keh woh cheez paak ho gaa'ee hai aur woh ghalat bayan na ho ya kisi musalmaan ne ek najis cheez ko pak karne ki gharz se dhoya ho to chahe yeh m'aloom na ho keh is ne ise theek tarah se dhoe hai ya nahin to woh cheez bhi paak hai.
222. Agar kisi ek shakhs ne ek shakhs ka lebaas dhone ki zimmedaari le lee ho aur kahe keh main ne ise dho diya hai is shakhs ko is ke yeh kahne se tassalee ho jaaye to woh lebaas paak hai.
223. Agar kisi tahaarat wa najaasat ke m'amle mein shakki mazaaj shakhs ki yeh haalat ho jaaye keh ise kisi najis cheez ke paak hone ka yaqeen hee na aa'e agar woh is cheez ko ma'mool ke mutaabiq dho le to kafee hai.

XII. Zabeeha ke badan se khoon ka nikal janaa

224. Jaisaa mass'leh 94 mein bataya gaya hai keh kisi jaanwar ko shar'ee tareeqe se zibah karne ke b'ad is ke badan se ma'mool ke mutaabiq (zaruri miqdaar mein) khoon nikal jaaye to jo khoon is ke badan ke andar baaqee rah jaaye woh paak hai.
225. Mazkurah baalaa hukm ka bayan mass'leh 224 mein huaa hai Ehteyaat ki bina par is jaanwar se mahksoos se jis ka gostr halaal ho. Jis jaanwar ka gost haraam ho is par yeh hukm jaaree nahin ho saktaa.

Bartano ke Ehkaam

226. Jo bartan kutte, soor ya murdaar ke chamre se banaya jaaye is mein kisi cheez ka khaanaa peenaa jabkeh taree is ki najaasat ka maujub banee ho, haraam hai aur is bartan ko wuzu aur ghusl aur aise dusre kamo mein iste'maal nahin karna chahiye jinhein paak cheez se anjaam

denaa zaruri ho aur Ehteyaat-e-mustahab yeh hai keh kutte, soor aur murdaar ke chamre ko khwaah woh bartan ki shakal mein na bhi ho iste'maal na kiya jaaye.
227. Sone aur chaandee ke bartano mein khanaa peenaa balkeh Ehteyaat-e-waajib ki bina par in ko kisi bhi tarah iste'maal karna haraam hai Laikin in se kamrah sajaane ya anhen apne paas rakhne mein koi harj nahin goea in ka tark kar denaa ahoot hai aur sajaawat ya qabze mein rakhne ke liye sone aur chaandi ke bartan banaane aur in ki khareed wa farokht karne ka bhi yahee hukm hai.
228. Ihtekan (sheeshe ka chhota saa jis mein qahwoh peete hain) ka holder jo sone ya chaandi ke bartan ka hukm rakhtaa hai aur agar ise bartan na kahaa jaaye to is ke ihte'maal mein koi harj nahin.
229. Aise bartano ke iate'maal mein koi harj nahin jin par sone ya chaandi ka paani charhaya gaya ho.
230. Agar kisi dhaat ko chaandi ya sone mein makhloot kar ke bartan banaa'e jaayen aur woh dhaat itnee zayadaah miqdaar mein ho keh is bartan ko sone ya chaandi ka bartan na kahaa jaaye to is ke iste'maalmein koi harj nahin.
231. Agar ghazaa sone ya chaandi ke bartan mein rakhee ho aur koi shakhs ise dusre bartan mein oondail le to agar dusra bartan a'am aur par pahle bartan mein khaane ka zariya shumaar na ho to aisaa karne mein koi harj nahin hai.
232. Hooqqe ke chillum ka soorakhoon walaa dhaknaa, talwaar, chharee ya chaakoo ka mayaan aur Qur'an Majeedrakhne ka dabbah agar sone ya chaandi se bane hon to koi harj nahin taahum Ehteyaat-e-mustahab yeh hai keh sone chaandi ki banee hu'ee 'trdaanee, surmehdaanee aur afeemdaanee ihte'maal nah ki jaayen.
233. Majbooree ki haalat mein sone chaandi ke bartano mein intaa khaane peene mein koi harj nahin jis se majbooree khatam ho jaaye Laikin is se zayadaa khaanaa peenaa jaayez nahin.
234. Aisaa bartan iste'maal karne mein koi harj nahin jis ke baare mein m'aloom nah ho keh yeh sone ya chaandi ka hai ya kisi aur cheez se banaa huaa hai.

WUZU

235. Wuzu mein waajib hai keh chehraah aur dono saath dho'e jaayen aur sar ke agle hisse aur dono paa'on ke saamne waale hisse ka massah kiya jaaye.
236. Chehre ko lambaa'ee mein peshaanee ke uupar oos jagah se le kar jahan sar ke baal oogte hain thodhee ke aakharee kanaare tak dhonaa zaruri hai aur chauraa'ee mein beech ki oonglee aur angoothe ke phailaa'o mein jitnee jagah aa jaaye ise dhonaa zaruri hai. Agar is miqdaar ka zaraa saa hissah bhi chhoot jaaye to wuzu baatil hai aur agar insaan ko yeh yaqeen nah ho keh zaruri hissah pooraa dhul gaya hai to yaqeen karne ke liye thoraa idhar udhar dhonaa bhi zaruri hai.
237. Agar kisi shakhs ke haath ya chehreh aa'am logon ki ba nisbat baare ya chhote hon to ise dekhnaa chaahiye keh a'am log kahan tak apnaa chehrah dhote hain aur phir woh bhi itnaa hee dho daale.
238. Agar is baat ka ihtemaal ho keh kisi shakhs ki bh'on, aankh ke goshon aur honton par mail ya koi dusri cheez hai jo paani ke in tak pohoonchne mein rookawat hai aur is ka yeh ihtemaal logon ki nazaron mein darust ho to zaruri hai keh wuzu se pahle tahqeeq kar le aur agar koi aisi cheez ho to ise door kar le.
239. Agar chehreh ki jild baalon ke neeche se nazar aatee ho to paani jild tak pohuchnaa zaruri haiaur agar nazar naa aatee ho to baalon ka dhonaa kafee hai aur in ke neeche tak paani pohoonchaanaa zaruri nahin.

240. Agar kisi shakhs ko shak ho ke haya is ke chehre ki jild baalon ke neeche se nazar aatee hai ya nahin to Ehteyaat-e-waajib ki bina par zaruri hai keh baalon ko dho'e aur paani jild tak bhi pohoonchaa'e.
241. Naak ke androonee aur honton aur aankhon ke oon hisson ka jo boond karne par nazar nahin aate dhonaa waajib nahin hai. Laikin agar kisi insaan ko yeh yaqeen naa ho keh jin jagahon ka dhonaa zaruri hai in mein koi jagah baaqee nahin rahee to woh waajib hai keh in 'azaa' ka kuchh izaafee hissah bhi dho le taa keh ise yaqeen ho jaaye aur jis shakhs ko is baat ka i'lm naa thaa agar is ne jo wuzu kiya hai is mein zaruri hisse dhone ya naa dhone ke baare mein naa jaantaa ho to is wuzu se is ne jo tamaam namaazein padhee hai woh sahee hai aur b;d ki namaazon ke liye wuzu karna zaruri nahin hai.
242. Ehteyaat-e-laazim ki bina par zaruri hai keh saathon aur isi tarah chhere ko uupar se niche ki taraf dhoea jaaye. Agar niche se uupar ki taraf dho'e jaayen to wuzu baatil hoga.
243. Agar haathelee paani se tar kar ke chhere aur haathon par pheree jaaye aur saath mein itnee taree ho keh ise pherne se poore chhere aur haathon par paani pohoonch jaaye to kafee hai. In par paani ka bahnaa zaruri nahin.
244. Chehre dhone ke b'ad pahle dayaan haath aur phir bayan haath kohnee se oongleeon ke saron tak dhonaa zaruri hai.
245. Agar insaan ko yaqeen na ho keh kohnee ko pooree tarah dho liya hai to yaqeen haasil karne ke liye kohnee se uupar ka kuchh hissah dhonaa bhi zaruri hai.
246. Jis shakhs ne chehraa dhone se pahle apne haathon kp kalaayee ke jor tak dhoea ho zaruri hai keh wuzu karte vaqt oongoolion ke saron tak dho'e. Agar woh sirf kalaayee ke jor tak dho'egaa to is ka wuzu baatil hoga.
247. WazU mein chehre aur haathon ka ek daf'a dhonaa waajib, dusri daf'a dhonaa mustahab aur teesree daf'a ya is se zayada daf'a dhonaa haraam hai. Ek daf'a dhona oos vaqt mukamal hoga jab wuzu ki niyyat se itnaa paani chehre ya haath par daale keh woh paani poore chehre ya haath par pohoonch jaaye aur Ehteyaat ke liye koi goonjaaish baaqee na rahe. Lehazaa agar pehlee daf'a dhone ki niyyat se das baar bhi chehre par paani daale taakeh paani tamaam maqaamaat tak pohoonch jaaye to is mein koi harj nahin hai aur jab tak wuzu karne ya chehrah dhone ki niyyat na kare pahlee baar dhonaa shumaar nahin hoga. Lehazaa agar chahe to chand baar chehre ko dho le aur aakhree baar chehra dhote vaqt wuzu ki niyyat kar le Laikin soosree daf'a dhone mein niyyat ka ma'tbur honaa ishkal se khaalee nahin hai aur Ehteyaat-e-laazim yeh hai keh ek martabah chehre ya haathon ko dho lene ke b'ad dusri baar dhone ke liye ek baar se zayadaa na dho'e agar che wuzu ki niyyat se na bhi ho.
248. Dono haath dhone ke b'ad sar ke agle hisse ka massah wuzu ke paani ki is taree se karna chaahiye jo haathon ko lagee rah gayee ho aur Ehteyaat-e-mustahab yeh hai keh massah daay'en haath se kiya jaaye aur uupar se niche ki taraf ho.
249. Sar ke chaar hisson mein se peshaanee se milaa hi ek hissah woh maqaam hai jahaan massah karna chaahiye. Is hisse mein jahan bhi aur jis andaaz se bhi massah karein kafee hai. Agar che Ehteyaat-e-mustahab yeh hai keh lambaa'ee mein ek angoolee ki lambaa'ee ke lagbhag aur chauraa'ee mein teen milee hu'ee angooleeon ke lagbhag jagah par massah kiya jaaye.
250. Yeh zaruri nahin keh sar ka massah jild par kiya jaaye balkeh sar ke agle hisse ke baalon par karna bhi durust hai. Laikin agar kisi ke sar ke baal itne lambe hon keh maslan agar kanghaa kare to chehre par aakar ya sar ke kisi dusre hisse tak jaa pohoonche to zaruri hai keh woh baalon ki jaron par massah kare aur agar woh chehre par aa girne waale ya dusre hisson ke baalon ko sar ke agle hisse mein jam'a kar ke in par massah kare to aisaa massah baatil hai.

251. Sar ke massah ke b'ad wuzu ke paani ki is taree se jo haathon mein baaqee ho paa'on ki kisi ek angoolee se le kar paa'on ke jor tak massah karna zaruri hai aur Ehteyaat-e-mustahab yeh hai keh daa'en haath se aur baa'en p'air ka baa'en haath se massah kiya jaaye.
252. Paa'on par massah chauraa'ee mein jitnaa bhi ho kafee hai Laikin behtar hai keh teen milee hu'ee angoolee ki chauraa'ee ke baraabar ho aur is se bhi behtar yeh hai keh paa'on ke poore uuparee hisse ka massah pooree haathelee se kiya jaaye.
253. Zaruri nahin hai keh paa'on ka massah karte vaqt haath angoolee ke seeron par rakhe aur phir paa'on ke uupar kheenche balkeh yeh bhi kiya jaa saktaa hai keh pooraa haath paa'on par rakhe aur thoraa saa kheenche,
254. Sar aur paa'on ka massah karte vaqt haath in par kheenchnaa zaruri hai aur agar haath ko saakin rakhe aur sar ya paa'on ko is par chalaaye to baatil hai Laikin haath kheenchne ke vaqt sar aur paa'on m'amoolee harkat Karen to koi harj nahin.
255. Jis jagah ka massah karna ho zaruri hai keh woh khushk ho. Agar woh is qadar tar ho keh haathelee ki taree is par asar naa kare to massah baatil hai.Laikin agar is par namee ho ya taree itnee kam ho keh woh haathelee ki taree se khatam ho jaaye to phir koi harj nahin.
256. Agar massah karne ke liye haathelee par taree baaqee naa rahee ho to dusre paani se tar nahin kiya jaa saktaa balkeh aisi surat mein zaruri hai keh apni dhaarhi ki taree le kar is se massah kar le. Daadhi ke a'lawa aur kisi jagah se taree le kar massah karna mahal ishkal hai.
257. Agar haathelee ki taree sirf sar ke massah ke liye kafee ho to Ehteyaat-e-waajib hai keh sar ka massah is taree se kare aur paa'on ke massah ke liye apni daarhi se taree haasil kare.
258. Moze aur joote par massah karna baatil hai. Han ! agar sakhat sardee ki wajah se ya chor ya darinde waghairah ke khauf se joote ya moze naa ootaare jaa saken to Ehteyaat-e-waajib yeh hai keh moze aur joote par massah kare aur tayyamum bhi kare. Yaqeen ki surat mein moze aur joote par massah karna kafee hai.
259. Agar paa'on ka uupar walaa hissah najis ho aur massah karne ke liye ise dhoea bhi naa jaa saktaa ho to tayyamum karna zaruri hai.

Irtemaasee Wuzu

260. Irtemaasee wuzu yeh hai keh insaan chehre aur haathon ko wuzu ki niyyat se paani mein doobo de. Bazahir irtemaasee tareeqe se dhule hu'e haath ki taree se massah karne mein koi harj nahin hai agar che aisaa karna khilaaf Ehteyaat hai.
261. Irtemaasee wuzu mein bhi chehrah aur haath uupar se niche ki taraf dhone chaahiyen. Lehaaza jab koi shakhs wuzu ki niyyat se chehrah aur haath paani mein doobo'e to zaruri hai keh chehrae peshaanee ki taraf se aur haath kohnee ki taraf se dubo'e.
262. Agar koi shakhs b'az a'zaa ka wuzu irtemaasee tareeqe se aur ba'z ka ghair irtemaasee tareeqe se kare to koi harj nahin.

Wuzu Ki Mustahab Du'aen

263. Jo shakhs wuzu karne lage is ke liye mustahab hai keh jab is ki nazar paani par padhe to yeh du'a padhe :

" Bismillahi wa billahi wal hamdu lil lahil lazi ja'alal ma'a tahura wa lam yaj alhu najasa".

Jab wuzu se pahle apne haath dho'e to yeh du'a padhe :

" Allahummaj alni minat tawwabina waj alni minal mutatah hirin".

Kullee karte vaqt yeh du'a padhe :

"Allahumma laq qini hujjati yawma alqaka wa atliq lisani bizikrika".

Naak mein paani daalte vaqt yeh du'a padhe :

" Allahumma la tuharrim 'alaya rihal jannati waj 'alni mim man yashummu riha ha wa rawha ha wa tibaha".

Chehrah dhote vaqt yeh du'a padhe :

" Allahumma bayyiz wajhi yawma taswaddufihil wujuh wala tusawwid waj hi yawma tabyazzul wujuh".

Dayaan haath dhote vaqt yeh du'a padhe :

"Alla humma a'tini kitabi bi yamini wal khulda fil jinani bi yasari wa hasibni hisaban yasara".

Bayan haath dhote vaqt yeh du'a padhe :

"Alla humma la tutini kitabi bishimali wala min wara'i zahri wala taj alha maghlu latan ila oonuqi wa a'uzu bika min muqat ta'atin niraan".

Sar ka massah karte vaqt yeh du'a padhe :

"Alla humma ghashshini bi rahmatika wa barakatika wa 'afwika".

Paa'on ka massah karte vaqt yeh du'a padhe :

"Alla humma thabbitni alas sarati yawma tazillu fihil aqdam. Waj'al sa'yi fi ma yurzika 'anni ya zal jalali wal ikram".

Wuzu sahee hone ki sharaa'et

Wuzu sahee hone ki chand sharaa'et hain :

1) Wuzu ka paani paak ho. Ek qaul ki bina par wuzu ka paani aisi cheezon maslan halaal gost haiwaan ke peshaab, paak murdaar aur zakhm ki reem se 'aaloodah naa ho jin se insaan ko ghin aatee ho, agar che shara'ee lehaaz se aisaa paani paak hai aur yeh qaul Ehteyaat ki bina par hai.
2) Paani mutlaq ho.

264. Najis ya muzaaf paani se wuzu karna baatil hai khawoh wuzu karne walaa shakhs is ke najis ya muzaaf hone ke baare mein i'lm na rakhtaa ho ya bhool gaya ho. Lehaaaa agar woh aise paani se wuzu kar ke namaaz padh chuka ho to sahee wuzu kar ke dobaarah namaaz padhnaa zaruri hai.

265. Agar ek shakhs ke paas mitti mile hue muzaaf paani ke a'lawa aur koi paani wuzu ke liye na ho aur namaaz ka vaqt tang ho to zaruri hai keh tayyamum kar le Laikin agar vaqt tang na ho to zaruri hai keh paani ke saaf hone ka intezaar kare ya kisi tareeqe se is paani ko saaf kare aur wuzu kare. Han! mitti milaa huaa paani Oosi vaqt muzaaf bantaa hai jab ise paani na kahaa jaa sake.

(3) Wuzu ka paanimubaah ho.

266. Aise paani se wuzu karna jo ghasab kiya gaya ho ya jis ke baare mein yeh i'lm na ho keh is ka maalik is ke iste'maal par raazee hai ya nahin haraam aur baatil hai. a'lawa azen agar chehre ya haathon se wuzu ka paani ghasab ki hu'ee jagah par girtaa ho ya woh fazaa jis mein wuzu kar rahaa hai ghasbee hai aur wuzu karne ke liye koi aur jagah bhi na ho to is shakhs ka fareezah tayyamum hai aur agar kisi dusri jagah wuzu kar saktaa ho to zaruri hai keh dusri jagah wuzu kare. Likin agar dono suraton mein goonaah ka artakab karte hu'e Oosi jagah wuzu kar le to is ka wuzu sahee hai.

267. Kisi madras eke aise hauz se wuzu karne mein koi harj nahin jis ke baare mein yeh i'lm na ho ke haya woh tamaam logon ke liye wuzu kiya gaya hai ya sirf madras eke talbaa' ke liye wuzu hai aur surat yeh ho keh log a'amooman is hauz se wuzu karte hon aur koi man'a na kartaa ho.

268. Agar koi shakhs ek massjid mein namaaz padhnaa na chahtaa ho aur yeh bhi na jaantaa ho ke haya is massjid ka hauz tamaam logon ke liye waqf hai ya sirf in logon ke liye jo is massjid mein namaaz padhte hain to is ke liye hauz se wuzu karna durust nahin Laikin agar a'amoomum woh log bhi is hauz se wuzu karte hon jo is massjid mein namaaz na padhnaa chahte hon aur koi man'a na kartaa ho to woh shakhs bhi is hauz se wuzu kar saktaa hai.
269. Sara'e, musafir khaano au raise hee dusre maqaamaat ke hauz se in logon ka jo in mein muqeem naa hon, wuzu karna Oosi surat mein durust hai jab a'muman aise log bhi jo wohan muqeem na hon is hauz se wuzu karte hon aur koi mana' naa kartaa ho.
270. Oon nahron se wuzu karne mein koi harj nahin jin par a'qla' ka tareeqaa yeh hai keh tasuruf kiya karte hain, chaahe nahrein baaree hon ya chhotee aur chaahe insaan ko maalik ki razaaiat ka i'lm bhi naa ho balkeh agar maalik wuzu karne se roke ya insaan jaantaa ho keh maalik raazee nahin ya maalik naabaaligh bachcha ya paagal ho, phir bhi in nahron mein tasarruf jayez hai.
271. Agar koi shakhs yeh bhool jaaye keh paani ghasbee hai aur is se wuzu kar le to is ka wuzu sahee hai. Laikin agar kisi shakhs ne khud paani ghasab kiya ho aur b'ad mein bhool jaaye keh yeh paani ghasabee hai aur is se wuzu kar le to is ka wuzu sahee hone mein ashkal hai.
272. Agar wuzu ka paani to is ka apnaa ho Laikin ghasabee bartan mein ho aur is shakhs ke paas is ke a'laawaa aur koi paani na ho to agar woh is paani ko shara'ee tareeqe se dusre bartan mein udhail saktaa ho to is ke liye zaruri hai keh ise kisi dusre bartan mein udhail le aur phir is se wuzu kare aur agar aisaa karna 'aasaa na ho to tayyamum karna zaruri hai aur agar is ke paas is ke a'lawa dusra paani maujood ho to zaruri hai keh is se wuzu kare aur agar in dono suraton mein woh sahee tareeqe par a'amal na karte hu'e is paani se jo ghasabee bartan mein hai wuzu kar le to is ka wuzu sahee hai.
273. Agar kisi hauz mein masshaal ke taur par ghasab ki hu'ee ek eent ya ek paththar lagaa ho aur a'raf a'm mein is hauz mein se paani nikalnaa is int ya paththar pat tasarruf na samjhaa jaaye (paani lene mein) koi harj nahin Laikin agar tasarruf samjhaa jaaye to paani ka nikalnaa haraam hai Laikin is se wuzu karna sahee hai.
274. Agar aa'imah taahereen allaihe moos salaam ya in ke aulaad ke maqbaare ke sahan mein jo pahle qabarastaan thaa koi hauz ya nahar khodee jaaye aur yeh i'lm na ho keh sahan ki zameen qabarastaan ke liye waqf ho chuki hai to is hauz ya nahar ke paani se wuzu karne mein koi harj nahin hai.

(4) Wuzu ke a'za dhote vaqt aur massah karte vaqt paak hon. Chahe anhein wuzu ke dauraan hee dhone ya massah karne se pahle paak kar le jabkeh agar kurr ya is jaise paani se dho rahaa ho to dhone se pahle paak karna bhi zaruri nahin.
275. Agar wuzu mukammal hone se pahle woh maqaam najis ho jaaye jise dhoea jaa chuka hai ya jis ka massah kiya jaa chuka hai to wuzu sahee hai.
276. Agar a'zaa'e wuzu ke siwa badan ka koi hissah najis ho to wuzu sahee hai Laikin agar paakhaane ya peshaab ke maqaam ko paak naa kiya ho to phir Ehteyaat-e-mustahab yeh hai keh pahle inhein paak kare aur phir wuzu kare.
277. Agar wuzu ke a'zaa' mein se koi a'zoo najis ho aur wuzu karne ke b'ad shak guzre ke haya wuzu karne se pahle oos a'zoo ko dhoea thaa ya nahin to wuzu sahee hai Laikin is najis maqaam ko dho lenaa zaruri hai.
278. Agar kisi ke vhehre ya haathon par koi aisi kharaash ya zakhm ho jis se khoon naa ruktaa ho to zaruri hai keh is a'zoo ko sahee saalim ajzaa' ko tarteeb waar dhone ke b'ad zakhm ya kharaash waale hisse ko kurr ke barabar paani ya jaaree paani mein dubo de au rise is qadar dabaa'e keh khoon boond ho jaaye aur paani ke andar hee apni angoolee zakhm ya kharaash par

rakh kar uupar se niche ki taraf khinche taakeh is (kharaash ya zakhm) par paani jaaree ho jaaye aur phir is se nichle hisson ko dho le. Is tarah is ka wuzu sahee ho jaayegaa.

(5) Wuzu karne aur namaaz padhne ke liye vaqt kafee ho.

279. Agar vaqt itna kam ho keh wuzu kare to saaree ki saaree namaaz ya is ka kuchh hissah vaqt ke b'ad padhnaa pare to zaruri hai keh tayyamum kar le Laikin agar tayyamum aur wuzu ke liye taqreeban yaksaan vaqt darkar ho to phir wuzu kare.

280. Jis shakhs ke liye namaaz ka vaqt tang hone ke baa's tayyamum karna zaruri agar woh qasad qurbat ki niyyat se ya kisi mustahab kam maslan Qur'aan Majeed padhne ke liye wuzu kare to is ka wuzu sahee hai aur isi namaaz ko padhne ke liye wuzu kare to bhi yahee hukm hai siwaa'e is ke keh ise qasad qurbat haasil naa ho sake.

(6) Wuzu baqasd qurbat se kare aur is ke liye itna kafee hai keh hukm Illahee ki bajaa'wari ke qasad se kiya jaaye. Agar apne a'ap ko thandak pohoonchaane ya kisi aur niyyat se kiya jaaye to wuzu baatil hai.

281. Wuzu ki niyyat zabaan par ya dil mein karna zaruri nahin balkeh agar ek shakhs wuzu ke tamaam af'al Allah T'alaa ke hukm par a'mal karne ke liye bajaa laaye to kafee hai.

(7) Wuzu is tarteeb se kiya jaaye jis ka zikr uupar ho chuka hai. Yaanee pahle chehrah aur is ke b'ad dayaan aur phir bayan haath dhoya jaaye is ke b'ad sar ka aur phir paa'on ka massah kiya jaaye aur Ehteyaat-e-mustahab yeh hai keh dono paa'on ka ek saath massah na kiya jaaye balkeh baa'en paaon ka massah daa'en paa'on ke b'ad kiya jaaye.

(8) Wuzu ke af'al pai dar pai anjaam de.

282. Agar wuzu ke afa'l ke darmayan itna faaslah ho jaaye keh 'araf a'am mein pai dar pai dhonaa naa kahlaaye to wuzu baatil haiLaikin agar kisi shakhs ko koi 'zar pesh 'aa jaaye maslan yeh keh bhool jaaye ya paani khatam ho jaaye to is surat mein bilaa faaslah dhona ki shart ma'tbar nahin hai balkeh wuzu karne walaa shakhs jis vaqt kisi 'azoo ko dhonaa ya is ka massah karna chaahe aur is vaqt tak in tamaam maqaamaat ki taree khushk ho chuki ho jinhein woh pahle dho chuka hai ya jin ka massah kar chuka hai to wuzu baatil hoga. Laikin agar jis 'azoo ko dhonaa hai ya massah karna hai sirf is se pahle dho'e hu'e ya massah kiye hu'e 'azoo ki taree khushk ho gayee ho maslan bayan haath dhote vaqt daa'en haath ki taree khushk ho chuki ho Laikin cherah tar ho to wuzu sahee hai.

283. Agar koi shakhs wuzu ke af'al bilaa faaslah anjaam de Laikin garam hawa ya badan ki zayadaa haraarat ya kisi aur aisi hee wajah se pahlee jagahon ki taree khushk ho jaaye to is ka wuzu sahee hai.

284. Wuzu ke dauraan chalne phirne mein koi hatj nahin. Lehaaza agar koi shakhs chehrah ya haath dhone ke b'ad chan qadam chale aur phir sar aur paa'on ka massah kare to is ka wuzu sahee hai.

(9) Insaan khud apnaa chehrah aur haath dho'e aur phir sar aur paa'on ka massah kare. Agar koi dusra ise wuzu karaa'e ya oos ke chehre ya haathon par paani daalne ya sar aur paa'on ka massah karne mein oos ki madad kare to oos ka wuzu baatil hai

285. Jo shakhs khud wuzu na kar saktaa ho zaruri hai keh woh kisi soosre shakhs se madad le agarche dhonaa aur massah karna dono ki masshaarkat se ho aur agar woh shakhs ujrat maange to agar oos ki adaa'egee kar saktaa ho aur aisaa karna oos ke liye maalee aur par nuksaandeh naa ho to ujrat adaa karna zaruri hai. Albattah yeh zaraa zaruri hai. Albattah yeh zaruri hai keh wuzu ki niyyat khud kare aur massah bhi apne haath se kare aur agar khud sar dusre ke saath shirkat na kar saktaa ho to zaruri hai keh kisi dusre shakhs ki madad le jo ise wuzu karwaa'e aur is surat mein Ehteyaat-e-waajib yeh hai keh dono wuzu ki niyyat karein aur agar yeh mumkin na ho to zaruri hai keh is ka naa'eb is ka haath pakar kar is ki massah ki jagahon par phere aur agar yeh

bhi mumkin na ho to zaruri hai keh naa'eb is ke haath se tari haasil kare aur is taree se oos ke sar aur paa'on par massah kare.

286. Wuzu ke jo af'al bhi insaan bazaat khud anjaam de saktaa ho zaruri hai keh oonhein anjaam den eke liye dasron ki mada na le.

(10) Wuzu karne waale ke liye paani ke iste'maal mein koi rukawat na ho.

287. Jis shakhs ko khauf ho keh wuzu karne se beemaar ho jaayegaa ya is paani se wuzu karegaa to payasaa rah jaayegaa to oos ka fareezaa wuzu nahin hai aur agr ise i'lm na ho keh paani is ke liye hai aur woh wuzu kar le jabkeh wuzu karna oos ke liye waaqe'an nuqsaandeh thaa to oos ka baatil hai.

288. Agar chehre aur haathon ko eetne kam paani se dhonaa jis se wuzu sahee ho jaataa ho zarar rasaal na ho aur is zayadah zarar rasaal ho to zaruri hai keh kam miqdaar se hee wuzu kare.

(11) Wuzu ke a'zaa' tak paani pohoonchne mein koi rukawat na ho.

289. Agar kisi ko m'aloom na ho keh oos ke wuzu ke a'zaa' par koi cheez lagee hai Laikin is baare mein ise shak ho ke haya woh cheez paani ke oon a'zaa' tak pohoonchne mein maana' hai ya nahin to zaroori hai keh ya to is cheez ko hataa de ya paani oos ke niche tak pohoonch jaaye.

290. Agar naakhoon ke niche meil ho to wuzu durust hai alikin agr naakhoon kataa jaaye aur is meil ki wajah se paani khaal tak na pohoonche to wuzu ke liye oos meil ka door karna zaruri hai. a'lawa agar naakhoon m'amool se zayadah barh jaayen to jitna hissah m'amool se zayadah barhaa huaa ho oos ke niche se meil nikalnaa zaruri hai.

291. Agar kisi shakhs ke chehre, haathon, sar ke agle hisse ya paa'on ke uupar waale hisse par jal jaane se ya kisi aur wajah se 'abalah par jaaye to ise dho lenaa aur is par massah kar lenaa kafee hai aur agar is mein suraakh ho jaaye to paani jild ke niche pohoonchnaa zaruree nahin balkeh agar jild ka ek hissah ookhar jaaye tab bhi yeh zaruri nahin keh jo hissah nahin ookharaa oos ke neeche tak paani pohoonchaya jaaye Laikin jab ookharee hu'ee jild kabhi badan se chipak jaati hai aur kabhi uupar ooth jaati ho to zaruri hai keh ya to ise kat de ya is ke neeche paani pohoonchaa'e.

292. Agar kisi shakhs ko shak ho keh wuzu ke 'azaa' se koi cheez chipki hu'ee hai ya nahin aur is ka yeh ihtemaal logon ki nazar mein bhi durust ho maslan gaare se koi kam karne ke b'ad shak ho keh gaaraa oos ke haath se lagaa rah gaya hai ya nahin to zaruri hai keh tahqeeq kare ya haath ko itna male keh itmeenaan ho jaaye keh agar is par gaaraa lagaa rah gaya thaa to woh soor ho gaya hai ya paani is ke neeche pohoonch gaya hai.

293. Jis jagah jo dhonaa ho ya jis ka massah karna ho agar is par maeil ho Laikin woh maeil paani ke jild tak pohoonchne mein rookawat naa ho to koi harj nahin. Isi tarah agar palastur waghairah ka kam karne ke b'ad safedee haath par lagee rah jaaye jo paani ko jild tak pohinchne mein naa roke to is mein bhi koi harj nahin. Laikin agar shak ho keh in cheezon ki maujoodgee paani ke jild tak pohoonchne mein man'a hai ya nahin to inhein door karna zaruri hai.

294. Agar koi shakhs wuzu karne se pahle jaantaa ho keh wuzu ke b'az a'zaa par aisi cheez maujood hai jo in tak paani pohoonchne mein man'a hai aur wuzu ke b'ad shak kare keh wuzu karte vaqt paani in a'zaa tak [pohoonchaya hai ya nahin to is ka wuzu sahee hai.

295. Agar wuzu ke b'az a'zaa mein koi aisi rukawat ho jis ke neeche paani kabhi to khud bakhud chalaa jaataa hai aur kabhi naa pohoonchtaa ho aur insaan wuzu ke b'ad shak kare keh paani is ke neeche pohoonchaa hai ya nahin jabkeh woh jaantaa ho keh wuzu ke vaqt woh is rukawat ke neeche paani pohuchne ki jaanib mutawajah naa thaa to Ehteyaat-e-mustahab yeh hai keh woh dobaarah wuzu kare.

296. Agar koi shakhs wuzu karne ke b'ad wuzu ke a'zaa par koi aisi cheez dekhe jo paani ke badan tak pohoonchne mein man'a ho aur Oose yeh m'aloom naa ho keh wuzu ke vaqt yeh

cheez maujood thee ya b’ad mein paidaa hu’ee to iska wuzu sahee hai Laikin agar woh jaantaa ho keh wuzu karte vaqt woh is rukawat ki jaanib mutawajah naa thaa to Ehteyaat-e-mustahab yeh hai keh woh dobaarah wuzu kare.
297. Agar kisi ko wuzu ke b’ad shak ho keh jo cheez paani ke pohoonchne mein man’a hai wuzu ke a’zaa par thee ya nahin to is ka wuzu sahee hai.

Wuzu ke Ehkaam

298. Agar koi shakhs wuzu ke af’al aur sharaa’et maslan paani ke paak hone ya ghasbee na hone ke baare mein bohut zayadah shak kartaa ho is ke liye zaruri hai keh apne shak ki parwah naa kare.
299. Agar kisi shakhs ko shak ho keh is ka wuzu baatil huaa hai ya nahin to ise yeh samajhnaa chaahiye keh is ka wuzu baaqee hai Laikin agar is ne peshaab karne ke b’ad istebraa’ kiye baighaiwuzu kar liya ho aur wuzu karne ke b’ad is ke makhraj peshaab se aisi ratoobat khaarij ho jis ke baare mein woh yeh naa jaantaa ho peshaab hai ya aur koi cheez to is ka wuzu baatil hai.
300. Agar kisi shakhs ko m’aloom ho keh oos ne wuzu kiya hai ya nhain to zaruri hai keh wuzu kare.
301. Jis shakhs ko m’aloom ho keh oosne wuzu kiya hai aur oos se hadas bhi waaq’e ho gaya ho, maslan oos ne peshaab kiya hai Laikin Oose yeh m’aloom na ho keh koi baat pahle waaq’e hu’ee hai agar che yeh surat namaaz se pahle pesh ‘a’e to wuzu karna zaruri hai aur agar namaaz ke dauraan pesh a’ae to namaaz todh kar wuzu karna zaruri hai aur agar namaaz ke b’ad pesh a’ae to jo namaaz woh padh chuka hai woh sahee hai. Albattah dusri namaazon ke liye naya wuzu karna zaruri hai.
302. Agar kisi shakhs ko wuzu ke b’ad ya wuzu ke dauraan yaqeen ho jaaye keh oos ne b’az jagahein nahin dho’ee ya oonka massah nahin kiya aur jin a’zaa ko pahle dhoea ho ya oonka massah kiya ho oonki taree zayadah vaqt guzar jaane ki wajah se khushk ho chooki ho to zaruri hai keh dobaarah wuzu kare Laikin agar woh taree khushk naa hu’ee ho to ya hawaa ki garmee ya kisi aur aisi wajah se khushk ho gayee ho to zaruri hai keh jin jagahon ke baare mein bhool gaya ho oonhein aur oon ke b’ad ‘ane wali jagahon ko dho’e ya oonka massah kare aur agar wuzu ke dauraan kisi a’zaa ked hone ya massah karne ke baare mein shak kare to isi hukm par a‘amal karna zaruri hai.
303. Agar kisi shakhs ko namaaz padhne ke b’ad shak ho keh oosne wuzu kiya thaa ya nahin to ooski namaaz sahee hai Laikin zaruri hai keh a’indah namaazon ke liye wuzu kare.
304. Agar kisi shakhs ko namaaz ke dauraan shak ho keh oosne wuzu kiya thaa ya nahin to ooski namaaz baatil hai aur zaruri hai keh woh wuzu kare aur namaaz dobaarah padhe.
305. Agar kisi shakhs ko namaaz ke b’ad pataa chale keh ooska wuzu baatil ho gaya thaa Laikin shak ho keh ooska wuzu namaaz se pahle baatil huaa thaa ya b’ad mein to jo namaaz padh chuka hai woh sahee hai.
306. Agar koi shakhs aise marz mein mubtelah ho keh Oose peshaab ke qatre girte rahte hon ya pakhaanaa rokne par qaadir naa ho to agar Oose yaqeen ho keh namaa ke awl vaqt se le kar ‘akhree vaqt tak Oose z waqfah mil jaaye gaa keh wuzu kar ke namaaz padh sake to zaruri hai keh oos waqfe ke dauraan namaa padh le aur agar Oose sirf itni muhlat mile jo namaaz ke waajibaat karne ke liye kafee ho to oos dauraan sirf namaaz ke waajibaat anjaam de aur zaruri hai keh mustahab af’al maslan Azaan, aqaamat aur Qoonoot ko tark kar de.
307. Agar kisi shakhs ko (bimaaree ki wajah se) wuzu kar ke namaaz ka kuchh hissah padhne ki mohlat miltee ho aur namaaz ke dauraan ek daf’a ya chand daf’a iska peshaab ya pakhana khaarij hota ho to Ehteyaat-e-laazim yeh hai keh is mohlat ke dauraan wuzu kar ke namaaz padhe Laikin

namaaz ke dauraan laazim nahin hai keh peshaab ya pakhana khaarij hone ki wajah se dobaarah wuzu kare.
308. Agar kisi shakhs ko peshaab ya pakhana baar baar y'oon aataa ho keh Oose wuzu kar ke namaaz ka kuchh hissah padhne ki bhi mohlat no naa miltee ho to ooska ek wuzu chand namaazon ke liye bhi kafee hai. Siwa iske keh koi aur cheez pesh 'aa jaaye jis se wuzu baatil ho jaatai. Maslan woh so jaaye ya is ka peshaab wa pakhana yabee'I andaaz se m'amol ke mutaabiq khaarij ho. Albattah behtar yeh hai keh har namaaz ke liye ek baar wuzu kare Laikin qazaa sajde, qazaa tashahdud aur namaaz Ehteyaat ke liye dusra wazu zaruri nahin.
309. Agar kisi shakhs ko peshaab ya pakhana baar baar 'ataa ho to ooske liye zaruri nahin keh wuzu ke b'ad fauran namaaz padhe agar che behtar hai keh namaaz padhne mein jaldee kare.
310. Agar kisi shakhs ko peshaab ya pakhana baar baar a'taa ho to wuzu karne ke b'ad namaaz ki haalat mein naa ho tab bhi ooske liye Qur'aan Majeed ke alfaaz ko mass karna jaayez hai.
311. Jis shakhs ko qatraa qatraa peshaab a'taa ho to ooske liye zaruri hai ke namaaz ke liye ek aisi thailee iste'maal kare jis mein ru'ee ya koi aur cheez rakhee ho jo peshaab ko dusri jaghon tak pohoonchne se roke aur Ehteyaat-e-waajib yeh hai keh har namaaz se pahle najis shudaa maqaam peshaab ko dho le. a'lawajo shakhs pakhana rokne par qaadir na ho oos ke liye zaruri hai keh jahan tak mumkin ho namaaz padhne tak paakhaane ko dusri jagahon tak phailne se roke aur Ehteyaat-e-waajib yeh hai keh agar baa's zahmat naa ho to har namaaz ke liye maq'd ko dho'e.
312. Jo shakhs peshaab ya pakhana rokne par qaadir naa ho to jahan tak mumkin ho namaaz mein peshaab ya pakhana roke aur behtar yeh hai keh agar oos par kuch kharch karna pare to kharch bhi kare balkeh agar oos ka marz 'asaanee se door ho saktaa ho to behtar hai keh apnaa 'laaj kara'e.
313. Jo shakhs apnaa peshaab ya pakhana rokne par qaadir naa ho ooske liye sheryab hone ke b'ad yeh zaruri nahin keh jo namaazein oosne marz ki haalat mein apne fareeze ke mutaabioq padhee hin oon ki qazaa kare Laikin agar oos ka marz jo namaaz ke vaqt ke dauraan hee door ho jaaye to Ehteyaat-e-laazim ki bina par zaruri hai keh jo namaaz oos vaqt padhee ho Oose dobaarah padhe.
314. Agar kisi shakhs ko yeh 'arzah laahaq ho keh reyeh rokne par qaadir na ho to zaruri hai keh in logon ke fareeze ke mutaabiq a'malkare jo peshaab aur paakhaanah rokne par qaadir naa hon.

Woh cheezein jin ke liye wuzu karna zaruri hai

315. Chhe cheezon ke liye wuzu karna waajib hai.

1) Namaaz mayyat ke a'lawa waajib namaazon ke liye. Mustahab namaazon mein wazu shart sehat hai.
2) Bhoole hu'e sajde aur tashahud ko anjaam den eke liye jabkeh in ke aur namaaz ke darmayan koi hadas is se sarzad huaa ho maslan oosne peshaab kiya ho Laikin sajdah sahu ke liye wuzu karna waajib nahin.
3) Khaan'e k'abah ke waajib tauwaaf ke liye Haj aur Umraah ka juz hota hai.
4) Wuzu karne ki nazr ki ho (mannat maani ho) ya 'had kiya ho ya qasam khaa'ee ho.
5) Jab kisi ne mannat maanee ho keh maslan Qur'aan Majeedka bhosah legaa.
6) Najis shudaa Qur'aan Majeed ko dhone ke liye ya baitul khulaa waghairah se nikalne ke liye jabkeh mat'alaqah shakhs majboor ho keh is maqsad ke liye apnaa haath ya badan ka koi hissah Qur'aan Majeed ke alfaaz se mass kare Laikin wuzu mein sirf hone walaa vaqt agar Qur'aan Majeed ko dhone ya ise baitul khoolaa se nikalne mein itni taakheer ka baa's hi jis se kalaam Allah ki behurmatee hotee ho to zaroori hai keh woh wuzu kiye

baghair Qur'aan Majeed ko baitul khoolaa' waghairah se nikalne ya agar najis ho gaya ho to ise dho daale.

316. Jo shakhs bawuzu ho oos ke liye Qur'aan Majeed ke alfaaz ko mass karna y'ani apne badan ka koi hissah Qur'aan Majid ke alfaaz se lagaanaa haraam hai laikin agar Qur'aan Majeedka faarsee zabaan ya kisi aur zabaan mein tarjoomah kiya gaya ho to Oose mass karne mein koi harj nahin.

317. Bachche ya deewaane ko Qur'aan Majeed ke alfaaz ko mass karne se roknaa waajib nahin Laikin agar in ke aisaa karne se Qur'aan Majeedki behoormatee hotee ho to anhein roknaa zaruri hai.

318. Jo shakhs baawuzu naa ho ooske liye Allah t'alaa ke naamo aur oon sifion ko mass karna jo sirf Oosi ke liye makhsoos hain khwoh kisi zabaan mein likhee hon Ehteyaat-e-waajib ki bina par haraam hai aur behtar yeh hai keh Rasool Akram Sallalaho Alaihe Wa 'Alehi Wasallam aur A'iemah Tauhereen Allaihemus Salaam aur Hazrat Fatimatuz Zehraa Alaihmus Salaam ke asmaa'e mubaarakah ko bhi mass naa kare.

319. Wuzu jab bhi kiya jaaye, chaahe namaaz ka vaqt 'ane se kuchh pahle, kafee dair pahle ya namaaz ka vaqt 'a jaane ke b'ad, agar "Qurbatan Illallah" ki niyyat se kiya jaaye to sahee hai. Yeh zaruri nahin hai keh waajib ya mustahab hone ki niyyat ki jaaye balkeh agar galtee se wajoob ki niyyat kar le aur b'ad mein m'aloom ho keh abhi wuzu waajib nahin huaa thaa to bhi sahee hai.

320. Agar kisi ko yaqeen ho keh (namaaz ka) vaqt daakhil ho chuka hai aur waajib wuzu ki niyyat kare Laikin wuzu karne ke b'ad Oose pataa chale keh abhi vaqt daakhil nahin huaa thaa to ooska wuzu sahee hai.

321. Mustahab hai keh agar insaan baawuzu ho tab bhi har namaaz ke liye dobaarah wuzu kare. B'az fuqhaa' Rizwaan allah T'alaa Alaihim ne farmaya hai keh mayyat ki namaaz ke liye, qabarstan jaane ke liye, massjid ya a'emah Alaihmus salaam ke haram mein jaane ke liye, Qur'aan Majeed saath rakhne, ise padhne, likhne aur ooska haasheyah mass karne ke liye aur sone ke liye wuzu karna mustahab hai. Laikin mazkurah mawaarid mein wuzu ka mustahab honaa saabit nahin hai, albattah agar koi shakhs mustahab hone ke ihtemaal ke saath wuzu kare to ooska wuzu sahee hai aur oos wuzu ke saath har woh kam kar saktaa hai jo baawuzu ho kar karna zaruri hai. Maslan oos wuzu ke saath namaaz padh saktaa hai.

Mubtalaate wuzu

322. Saath cheezein wuzu ko baatil kar deitee hain :

1) Peshaab – Jo masshkook ratoobat peshaab ke b'ad aur istebraa' se pahle insaan se khaarij hotee hai woh bhi peshaab ka hukm rakhtee hai.
2) Pakhana (3) Reyah y'ani m'ade aur 'anton ki hawaa jo maq'ad se khaarij hotee hai. (4) Neend jiski wajah se naa 'ankhein dekh saken alikin agar a'nkhein naa dekh rahee hon magar kan soon rahe hon to wuzu baatil nahin hota. (5) Aisi hAlat jin mein 'qal zaa'il ho jaati ho maslan diwaangee, masstee ya behoshee. (6) Auraton ka Istehaaza jis ka zikr b'ad mein 'a'egaa. (8) Janaabat balkeh Ehteyaat-e-mustahab ki bina par har woh ka jis ke liye ghusl karna zaruri hai.

Jabeeraa wuzu ke Ehkaam

323. Agar wuzu ke a'zaa' mein se kisi par zakhm ya phoraa ho ya haddee tootee hu'ee ho aur is ka moonh khoolaa ho aur paani is ke liye naa ho to Oosi tarah wuzu karna zaruri hai jaise a'am taur par kiya jaataa hai.

324. Agar kisi shakhs ke chehre aur haathon par zakhm ya phoraa ho, ya in mein se kisi ki (chehre ya haathon) haddee tootee ho iska moonh khoolaa ho aur is par paani daalnaa nuqsaandeh ho to ise zakhm ya phore ke a'as paas ka hissah is tarah uupar se neeche dhonaa chaahiye jaisaa wuzu mein bataya gaya hai aur behtar yeh hai keh agar is par tar haath kheenchnaa nuqsaandeh naa ho to haath is par khinchne aur is ke b'ad paak kapde is par daal de aur geelaa haath is kapde par bhi khinche. Albattah agar haddee tootee hu'ee ho to tayyamum karna laazim hai.
325. Agar zakhm ya phoraa ya tootee hu'ee haddee kisi shakhs ke sar ke agle hisse ya paa'on par ho aur ooska moonh khoolaa ho aur woh oos par massah naa kar saktaa ho kioon naa keh zakhm massah ki pooree jagah par phailaa huaa ho ya massah ki jagah ka jo hissah sahee waa salim ho oos par massah karna bhi ooski qudrat se baahar ho to is surat mein zaruri hai keh tayyamum kare aur Ehteyaat-e-mustahab ki bina par wuzu bhi kare aur paak kapdaa zakhm par rakhe aur wuzu ke paani ki taree se jo haathon par lagee ho kapde par massah kare.
326. Agar zakhm ya phoraa ya tootee hu'ee haddee ka moonh kisi cheez se boond ho aur ooska kholnaa baghair takleef ke mumkin ho aur paani bhi oos ke liye naa ho to Oose khol kar wuzu karna zaruri hai khawaah zakhm waghairah chehre aur haathon par ho ya sar ke agle hisse aur paa'on ke uupar waale hisse par ho.
327. Agar kisi shakhs ka zakhm ya phoraa ya tootee hu'ee haddee jo kisi cheez se boondhee hu'ee ho is ke chehre ya haathon par ho aur ooska kholnaa aur oos par paani daalnaa mazrur ho to zaruri hai keh a'as paas ke jeetne hisse ko dhonaa mumkin ho Oose dho'e aur Ehteyaat-e-waajib ki bina par jabeerah par massah kare.
328. Agar zakhm ka moonh naa khul saktaa ho aur khud zakhm aur jo cheez is par lagaa'ee gayee ho paak ho aur zakhm tak paani pohoonchnaa mumkin ho zaruri hai ke paani ko zakhm par uupar se neeche tak pohoonchaa'eaur agar zakhm ya is ke uupar lagaa'ee gayee cheez najis ho aur ooska dhonaa aur zakhm ke moonh tak paani pohoonchaanaa mumkin ho to zaruri hai keh Oose dho'e aur wuzu karte vaqt paani zakhm tak pohoonchaa'e aur agar paani zakhm ke liye mazrur to naa ho Laikin zakhm ko dhonaa mumkin naa ho ya ise kholaa zari'aa masshaqqat ka baa's ho to zaruri hai keh tayyamum kare.
329. Agar jabeerah a'zaa'e wuzu mein se kisi ek ya poore hisse par phailaa huaa ho to jabeerah wuzu kafee hai Laikin agar jabirah tamaam a'zaa'e wuzu ya zayadah tar a'zaa' par phailaa huaa ho to Ehteyaat ki bina par tayyamum karna zaruri hai aur jabeerah wuzu bhi kare.
330. Yeh zaruri nahin keh jabeerah oon cheezon mein se ho jin ke saath namaaz padhnaa durust hai balkeh agar woh zakhm ya oon haiwaanaat ke ajzaa se bani ho jin ka gost khaanaa jaayez nahin to in par bhi massah karna jaayez hai.
331. Jis shakhs ki haatheleeon ya angoolion par jabeerah ho aur wuzu karte vaqt oos ne tar haath oos par khinchaa ho to woh sar aur paa'on ka massah Oosi taree se kare.
332. Agar kisi shakhs ke paa'on ke uupar waale poore hiss par jabeerah ho Laikin kuchh hissah angoolion ki taraf se aur kuchh hissah paa'on ke uupar waale hisse ki taraf se khoolaa ho to jo jaghein khoolee hain wohaan paa'on ke uupar waale hisse par aur jin jagahon par jabeerah hai wohaan jabeerah par massah karna zaruri hai.
333. Agar chehre ya haathon par kaee jabeere hon to in ka darmiyani hissah dhonaa zaruri hai aur agar sar ya paa'on ke uupar waale hisse par jabeere hon to in ke darmiyani hisse ka massah karna zaroori hai aur jahaan jabeere hon wohaan jabeere ke baare mein Ehkaam par a'amal karna zaroori hai.
334. Agar jabeerah zakhm ke 'as paas ke hisson ko m'amool se zayadah ghere hu'e ho aur is ko hatanaa baghair takleef ke mumkin naa ho to zaruri hai keh tayyamum kare bajazaa is ke

jabeerah tayyamum ki jagahon par ho kioon naa keh is surat mein zaruri hai keh wuzu aur tayyamum dono kare aur dono suraton mein agar jabeerah ka hatanaa baghair takleef ke mumkin ho to zaruree hai keh ise hataa de. As agar zakhm chehre ya haathon par ho to is ke aas paas ki jagahon ko dhone aur agar sar ya paa'on ke uupar waale hisse par ho to is ke aas paas ki jagahon ka massah kare aur zakhm ki jagah ke liye jabeerah ke Ehkaam par a'amal kare.
335. Agar wuzu ke a'zaa' par zakhm naa ho ya in ki haddee tootee hu'ee naa ho Laikin kisi aur wajah se paani in ke liye mazrur ho to tayyamum karna zaruri hai.
336. Agar wuzu ke a'zaa' ki rug se fisad khulwaane ke tareeqe se khoon nikalaa gaya ho aur Oose dhonaa mumkin ho to tayyamum karna laazim hai. Laikin agar paani is ke liye mazrur ho to jabeeraah ke Ehkaam par a'amal karna zaruri hai.
337. Agar wuzu ya ghusl ki jagah par koi aisi cheez chipak gayee ho jis ka utaarnaa mumkin naa ho ya ise utaarne ki takleef naqaabile bardaast ho mut'alaqah shakhs ka fareezaa tayyamum hai. Laikin chipki hu'ee chezz tayyamum ke maqaamaat par ho to is surat mein zaruri hai keh wuzu aur tayyamum dono kare aur agar chipki hu'ee cheez dawaa ho to woh jabeerah ke hukm mein 'atee hai.
338. Ghusl mayyat ke a'lawa tamaam ghuslon mein jabeerah ghusl jabeerah wuzu ki tarah hai Laikin Ehteyaat-e-laazim ki bina par yeh zaruri hai keh ghusl ko tarteebee tareeqe se anjaam diya jaaye aur agar badan par zakhm ya phoraa ho to mukallif ko ghusl ya tayyamum ka ikhteyar hai. Agar woh ghusl ko ikhteyar kartaa hai aur zakhm ya phore par jabeerah naa ho to Ehteyaat-e-mustahab yeh hai keh zakhm ya phore par paak kapdaa rakhe aur is kapde ke uupar massah kare. Agar badan ka koi hissah tootaa hu'aa ho to zaruri hai keh ghusl kare aur Ehteyaatan jabeerah ke uupar bhi massah kare aur agar jabeerah uupar massah karna mumkin naa ho ya jo jagah tootee hu'ee hai woh khoolee ho to tayyamum karna zaruri hai.
339. Jis shakhs ka fareezaa tayyamum ho agar ooski tayyamum ki b'az jagahon par zakhm aa tayyamum ho agar ooski tayyamum ki b'az jagahon par zakhm ya phoraa ho ya haddee tootee hu'ee ho to zaruri hai keh woh jabeerah wuzu ke Ehkaam ke mutaabiq jabeerah tayyamum kare.
340. Jis shakhs ko jabeerah wuzu ya jabeerah ghusl karke namaaz padhnaa zaruri ho agar Oose i'lm ho keh namaaz ke 'akhir vaqt tak ooska 'azar door nahin hoga to awwal vaqt mein namaaz padh saktaa hai Laikin agar Oose umeed ho ke 'akhir vaqt tak ooska azar door ho jaayegaa to ooske liye behtar hai eh intezaar kare aur agar ooska'zar door baa ho to 'akhir vaqt mein jabeerah wuzu ya jabeerah ghusl ke saath namaaz adaa kare Laikin agar awwal vaqt mein namaaz padh le aur 'akhir vaqt tak ooska 'zar door ho jaaye to Ehteyaat-e-mustahab yeh hai keh wuzu ya ghusl kare aur dobaarah namaaz padhe.
341. Agar kisi shakhs ne 'ankh ki kisi beemaaree ki wajah se palkon ke baalon ko chipka kar rakhaa ho to zaruri hai keh tayyamum kare.
342. Agar kisi shakhs ko yeh i'lm naa ho ke haya ooska fareezaa tayyamum hai ya jabeerah wuzu to Ehteyaat-e-waajib ki bina par Oose tayyamum aur jabeerah wuzu dono bajaa laane chaahiye.
343. Jo namaazein kisi insaan ne jabeerah wuzu se padhee hon woh sahee hain aur woh Oosi wuzu ke saath 'aendah ki namaazein bhi padh saktaa hai.

Waajib Ghusl

Wajib ghusl saath hain :

(1) Ghusl Janaabat (2) Ghusl Ha'ez (3) Ghusl Nafaas (4) Ghusl Istehaazah (5) Ghusl masse mayyat (6) Ghusl mayyat (7) Woh Ghusl jo mannat ya qasam waghairah ki wajah se waajib ho jaaye.

Janabat ke Ehkaam

344. Do cheezon se insaan majnub ho jaataa hai ek jam'a aur dusra manee ke khaarij hone se, khawoh woh neend ki haalat mein nikle ya jaagte mein, kam ho ya zayadah, shahoowat ke saath nikle ya baghair shahuwat ke aur ooska nikalnaa ikhteyar mein ho ya naa ho.
345. Agar kisi shakhs ke badan se koi ratoobat khaarij ho aur woh yeh naa jaantaa ho keh manee hai ya peshaab ya koi aur cheez, agar woh ratoobat shahuwat ke saath aur uchhal kar nikalee ho aur oos ke nikalne ke b'ad badan soosat ho gaya ho to woh ratoobat manee ka hukm rakhtee hai. Laikin agar in teen ;alaamaat mein se saaree ki saaree ya kuchh maujood naa hon to woh ratoobat manee ke hukm mein 'a'engee. Laikin agar insaan beemaar ho to phir yeh zaruree nahin keh woh ratoobat uchhal kar nikalee ho aur iske nikalne ke vaqt badan soosat ho jaaye balkeh agar sirf shahuwat ke saath nikale to woh ratoobat manee ke hukm mein hogee. Jo ratoobat chher chhaar ya shahuwat angez tasawwaruraat ke vaqt insaan apni sharamgah mein mahsoos kartaa hai woh paak , isse ghusl bhi waajib nahin hota naa hee yeh wuzu ko baatil kartee hai. Han ! woh ratoobat jo aurat shahoowat ke saath khaarij hotee hai agar is hud tak ho keh Oose anjaal kahaa jaa sake aur lebaas ko a'loodah kar de, jo a'am taur par oos vaqt nikaltee hai jab aurat jinsee shahoowat tak pohoonch jaaye, to yeh najis bhi hai aur aurat majnoob bhi ho jaati hai.
346. Agar kisi aise shakhs ke makharj peshaab se jo beemaar naa ho koi aisaa paani khaarij ho jis mein in teen a'laamat mein se jinka zikr uupar waale mass'ale mein kiya gaya haiek 'alaamat maujood ho aur Oose yeh i'lm naa ho keh baaqee a'laamat bhi wuzu ko kafee samajhne aur agar wuzu nahi kiya thaa to sirf wuzu karna kafee hai aur oos par ghusl karna laazim nahin.
347. Manee khaarij hone ke b'ad insaan ke liye peshaab karna mustahab hai aur agar peshaab naa kare aur ghusl ke b'ad oos ke khaarij peshaab se ratoobat khaarij ho jis ke baare mein woh naa jaantaa ho keh manee hai ya koi aur ratoobat to woh ratoobat manee ka hukm rakhtee hai.
348. Agar koi shakhs jam'a kare aur 'azoo tanaasil supaaree ki miqdaar tak ya oos se zayadah aurat ki farj mein daakhil ho jaaye to khswaah yeh dhakhool farj mein ho ya dabar mein aur khawaah woh baaligh hon ya naabaaligh aur khawaah manee khaarij ho ya naa ho dono janoob ho jaate hain.
349. Agar kisi ko shak ho keh a'zoo tanaasil supaaree ki miqdaar tak daakhil huaa hai ya nahin to oospar ghusl waajib nahin hai.
350. N'auzbillah Agar koi shakhs kisi haiwaan ke saath watee kare aur oos ki manee khaarij ho to sirf ghusl karna kafee hai aur agar manee khaarij ho aur oos ne watee karne se pahle wuzu kiya huaa ho tab bhi sirf ghusl karna kafee hai aur agar wuzu naa kar rakhaa ho to Ehteyaat-e-waajib yeh hai keh ghusl kare aur wuzu bhi kare aur mard ya larke se watee karne ki surat mein bhi yahee hukm hai.
351. Agar manee apni jagah se harkat kare Laikin khaarij naa ho ya insaan ko shak ho keh manee khaarij huaa hai ya nahin to oos par ghusl waajib nahin hai.
352. Jo shakhs ghusl naa kar sake Laikin tayyamum kar saktaa ho woh namaaz ka vaqt daakhil hone ke b'ad bhi apni biwi se jam'a kar saktaa hai.
353. Agar koi shakhs apne lebaas mein manee dekhe aur jaantaa ho keh oos ki apni manee hai aur oosne manee ke liye ghusl naa kiya ho to zaruri hai keh ghusl kare aur jin namaazon ke baare mein Oose yaqeen ho keh woh oos ne manee khaarij hone ke b'ad padhee thee oonki qazaa kare Laikin oon namaazon ki qazaa zaruri nahin jin ke baare mein ihtemaal ho keh woh oosne manee khaarij hone se pahle padhee theen.

Woh cheezein jo majnoob par haraam hain:

354. Panch cheezein majnoob par haraam hain :

1) Apne badan ka koi hissah Qur'aan Majeed ke alfaaz ya Allah Subhaanah T'alaa ke naam se khawaah woh kisi bhi zabaan mein ho mass karna aur behtar yeh hai keh Ambiaa', aur A'imah aur Hazrat Zahrah Alaihmus salaam ke naamon se bhi apnaa badan mass naa kare.

2) Massjidul haraam aur Massjid Nabwee mein janaa, khawaah ek darwaaze se daakhil ho keh dusre darwaaze se nikal a'ye.

3) Massjidul haraam aur Massjid Nabwee ke a'laawaa dusri massjidon mein thehurnaa, aur Ehteyaat-e-waajib ki bina par A'imah Allaihoos Salaam ke haram mein thehurne ka bhi yahee hukm hai. Laikin agar in massjidon mein se kisi massjid ko 'aboor kare, maslan ek darwaaze se daakhil ho kar dusre se baahar nikal jaaye to koí harj nahin .

4) Kisi massjid mein koi cheez rakhne ke liye daakhil honaa. Ehteyaat-e-waajib ki bina par yahee hukm massjid se koi cheez uthaane ke liye bhi hai chaahe massjid mein daakhil naa bhi hon.

5) Oon A'yat mein se kisi ek ka padhnaa jin ke padhne se sajdah waajib ho jaataa hai. Woh A'yetein : 1. Surah Sajdah ay-15. 2. Surah Foosallat ay- 38 3. Surah Wal Najam ay-62 4. Surah Alaq ay- 19 mein hain.

Woh cheezein jo majnoob ke liye Makruh hain:

355. Nau cheezein janoob shakhs ke liye makruh hain :

(1-2) Khaanaa aur peenaa.Laikin agar haath moonh dho le aur kulli kar le to makruh nahin hai aur agar sirf haath dho le to bhi karaahat kam ho jaayegee.

(3) Qur'aan Majeedki saath se zayadah aisi A'yat padhnaa jin mein sajdah waajib naa ho.

(4) Apne badan ka koi hissah Qur'aan Majeedki jild, Haasheyah ya alfaaz ki darmayanee jagah se chhoonaa.

(5) Qur'aan Majeedapne saath rakhnaa.

(6) Sonaa. Albattah agar wuzu kar le ya paani naa hone ki wajah se ghusl ke badle tayyamum kar le to phir sonaa makruh nahin hai.

(7) Mehndee ya is se miltee jultee cheez se khezaab karna.

(8) Badan par tail malnaa.

(9) Ihtelaam y'anee sote mein manee khaarij hone ke b'ad jam'a karna.

Ghusl Janaabat

356. Ghusl janaabat waajib namaaz padhne ke liye aur aisi dusri a'ba'daat ke liye waajib ho jaataa hai Laikin namaaj mayyat, sajdah sahoo, sajdah shukr aur Qur'aan Majeed ke waajib sajdon ke liye ghusl janaabat zaruri nahin hai.

357. Yeh zaruri nahin keh ghusl ke vaqt niyyat kare keh waajib ghusl kar rahaa hai balkeh fawat Qurbatoon Illallah y'anee bargaah Ilaahee mein Du'a 'ajazee ke iraade se ghusl kare to kafee hai.

358. Agar kisi shakhs ko yaqeen ho keh namaaz ka vaqt ho gaya hai aur ghusl waajib kar le Laikin b'ad mein pataa chale keh oos ne vaqt se pahle ghusl kar liya hai to ooska ghusl sahee hai.

359. Ghusl janaabat do tareeqon se anjaam diya jaa saktaa hai : Tarteebee aur Irtemaasee.

Tarteebee Ghusl

360. Tarteebee ghusl mein Ehteyaat-e-laazim ki bina par ghusl ki niyyat ke saath pahle pooraa sar wa garden aur b'ad mein badan dhonaa zaroori hai aur behtar yeh hai keh badan ko pahle daa'en taraf se aur b'ad mein baa'en taraf se dho'e. Teeno a'zaa' mein se har ek ko ghusl ki niyyat se paani ke sndar harkat dene se teebee ghusl ka sahee honaa ishkal se khaalee nahin hai. Aur Ehteyaat oos par iktefaa naa karne mein hai aur agar woh shakhs jaan bhoojh kar ya bhool kar ya massa'le naa jaanne ki wajah se badan ko sar se pahle dho'e to oos ka ghusl baatil hai.

361. Agar koi shakhs badan ko sar se pahle dho'e to is ke liye ghusl ka a'aada karna zaroori nahin balkeh badan ko dobaarah dho le to oos ka ghusl sahee ho jaayegaa.
362. Agar kisi shakhs ko is baat ka yaqeen naa ho keh oos ne dono hisson sar garden aur badan ko mukammal taur par dho liya hai to is baat ka yaqeen karne ke liye jis hisse ko dho'e oos ke saath dusre hisse ki kuchh miqdaar bhi dhonaa zaruri hai.
363. Agar kisi shakhs ko ghusl ke b'ad pataa chale keh badan ka kuchh hissah dhulne se baaqee rah gaya hai Laikin yeh i'lm naa ho keh woh kaoon saa hissah hai to sar ka dobaarah dhonaa zaruri nahin aur badan ka sirf woh hissah dhonaa zaruri hai jis ke naa dho'e jaane ke baare mein ihtemaal paidaa huaa hai.
364. Agar kisi ko ghusl ke b'ad pataa chale keh oos ne badan ka kuchh hissah nahin dhoea to agar woh baa'en taraf ho to sirf Oosi miqdaar dho lenaa kafee hai aur agar daa'en tarf ho to Ehteyaat-e-mustahab yeh hai keh itnee miqdaar dhone ke b'ad baa'en taraf ko dobaarah dho;e aur agar sar aur gardan dhulne se rah gayee ho to Ehteyaat-e-waajib ki bina par zaroori hai keh itni miqdaar dhone ke b'ad dobaarah badan ko dho'e.
365. Agar kisi shakhs ko ghusl mukammal hone se pahle daa'en ya baa'en taraf ka kuchh hissah dho'e jaane ke baare mein shak guzre to oos ke liye zaruri hai keh itni miqdaar dho'e aur agar ise sar ya gardan ka kuchh hissah dho'e jaane ke baare mein shak ho to Ehteyaat-e-laazim ki bina par sar aur gardan dhone ke b'ad badan ko dobaarah dhonaa zaruri hai.

Irtemaasee Ghusl

Irtemaasee ghusl do tariqe se anjaam diya jaa saktaa hai. **Daf'ee aur Tadrijee**

366. Ghusl Irtmaasee daf'ee mein zaruri hai keh ek lamhe ke liye pooraa badan paani mein ghar jaaye alikin ghusl karne se pahle ek shakhs ke saare badan ka paani se baahar honaa zaruri nahin hai balkeh agar badan ka kuchh hissah paani se baahar ho aur ghusl ki niyyat se paani mein ghotah lagaa'e to kafee hai.
367. Ghusl irtemaasee tadrijee mein zaruri hai keh ghusl ki niyyat se 'arafee a'itbaar se ek hee daf'ah mein badan ko paani mein dubo de. Is ghusl mein zaruri hai keh badan ka pooraa ghusl karne se pahle paani se baahar ho.
368. Agar kisi shakhs ko ghusl irtemaasee karne ke b'ad pataa chale keh ooske badan ke kuchh hisse tak paani nahin pohoonchaa hai to khawaah woh oos makhsoos hisse ke mut'aliq jaantaa ho ya naa jaantaa ho zaruri hai keh dobaarah ghusl kare.
369. Agar kisi shakhs ke paas ghusl tarteebee ke liye vaqt naa ho Laikin irtemaasee ghusl ke liye vaqt ho to zaruri hao keh irtemaasee ghusl kare.
370. Jis shakhs ne Haj ya Umraah ke liye ehraam baandhaa ho woh irtemaasee ghusl nahin kar saktaa Laikin agar oos ne bhool kar irtemaasee ghusl kar liya ho to oos ka ghusl sahee hai.

Ghusl Ke Ehkaam

371. Ghusl irtemaasee ya ghusl tarteebee mein ghusl se pahle saare jism ka paak honaa zaroori nahin hai balkeh agar paani mein gotah lagaane ya ghusl ke iraade se paani badan par daalne se badan paak ho jaaye to ghusl sahee hoga. Albattah yeh zaruri hai keh jis paani se ghusl kar rahaa hai woh tahaarat ki haalat se khaarij naa ho jaaye. Maslan agar paani se ghusl kar rahaa ho.
372. Agar koi shakhs haraam se janoob huaa ho aur garam paani se ghusl kar le to agarche Oose paseenaa bhi aa'e tab bhi ooska ghusl sahee hai.
373. Ghusl mein baal baraabar badan bhi agar oon dhoolaa rah jaaye to ghusl baatil hai. Laikin kan aur naak ke androonee hisson ka aur har oos cheez ka dhonaa baatin shumaar hotee ho waajib nahin hai.

374. Agar kisi shakhs ko badan ke kisi hiss eke baare mein shak ho keh oos ka shumaar badan ke zaahir mein hai ya baatin mein to zaroori hai keh Oose dho le.
375. Agar kan ki baalee ka suraakh ya is jaisaa koi aur sooraakh is qadar khoolaa ho keh is ka androonee hissah badan ka zaahir shumaar kiya jaaye to ise dhonaa zaruri hai warnaa iska dhonaa zaruri nahin hai.
376. Jo cheez badan tak paani pohoonchne mein maan'e ho zaruri hai keh insaan ise hataa de aur agar is ke hat jaane ka yaqeen karne se pahle ghoosal kare to ooska ghusl baatil hai.
377. Agar ghusl ke vaqt kisi shakhs ko shak guzre keh koi aisi cheez oos ke badan par hai ya nahin jo badan tak paani pohoonchne mein maan'e ho to zaruri hai keh chhaan been kare hatta keh mutm'een ho jaaye keh koi aisi rookawat nahin hai.
378. Ghusl mein oon chote chote baalon ka jo badan ka juz shumaar hote hain dhonaa zaruri hai aur lambe baalon ka dhonaa waajib nahin hai balkeh agar paani ko jild tak is tarah pohoonchaa'e keh lambe baal tar naa hon to ghusl sahee hai Laikin agar anhein dho'e baghair jild tak paani pohoonchaanaa mumkin naa ho to inhein bhi dhonaa zaruri hai taakeh paani badan tak pohoonch jaaye.
379. Woh namaaz sharaa'et jo wuzu ke sahee hone ke liye bataa'ee jaa chooki hain maslan paani ka paak honaa aur ghasbee naa honaa wohee sharaa'et ghusl ke sahee hone ke liye bhi hain. Laikin ghusl mein yeh zaruri nahin hai keh insaan badan ko uupar se neeche ki jaanib dho'e. a'lawa azein ghusl tarteebee mein yeh zaruri nahin keh sar aur gardoon dhone ke b'ad fauran badan ko dho'e, Lehaaza agar sar aur gardan dhone ke b'ad tawaqqaf kare aur kuchh vaqt guzarne ke b'ad badan ko dho'e to koi harj nahin balkeh zaruri nahin keh sar aur gardoon ya tamaam badan ko ek saath dho'e pas agar mishaal ke taur par sar dhoea ho kuchh deir b'ad gardoon dho'e to jaayez hai Laikin jo shakhs peshaab ya pakhana nikalne ko naa rok saktaa ho taahum Oose peshaab aur pakhana andaazan eetne vaqt tak naa a'taa ho keh ghusl kar ke namaaz padh le to zaroori hai keh fauran ghusl kare aur ghusl ke b'ad fauran namaaz padh le.
380. Agar koi shakhs yeh jaane baghair keh hamaam walaa raazee hai ya nahin ooski ujrat oodhaar rakhne ka iraada rakhtaa ho to khawaah hammam waale ko b'ad mein is baat par raazee bhi kar le ooska ghusl baatil hai.
381. Agar hamaam walaa oodhaar par ghusl ki ijaazat dene ke liye raazee ho Laikin ghusl karne walaa ooski ujrat naa dene ya haraam maal se dene ka iraadah rakhtaa ho to oos ka ghusl baatil hai.
382. Agar koi shakhs hamaam waale ko koi aisi raqam bataur oojrat de jis ka khums adaa naa kiya gaya ho to agarche woh haraam ka martakub hoga Laikin bazaahir ooska ghusl sahee hoga aur moostehqeen ko khums adaa karna oos ke zimme rahegaa.
383. Agar koi shakhs shak kare keh oosne ghusl kiya hai ya nahin to zaruri hai keh ghusl kare Laikin agar ghusl ke b'ad shak kare keh ghusl sahee kiya hai ya nahin to dobaarah ghusl karna zaruri nahin.
384. Agar ghusl ke dauraan kisi shakhs se hadas asghar sarzud ho jaaye maslan peshaab kar de to oos ghusl ko tark karke na'ye seere se ghusl karna zaruri nahin hai balkeh woh apne is ghusl ko mukammal kar saktaa hai. EEs surat mein Ehteyaat-e-laazim ki bina par wazaa par waz karna bhi zaruri hai. Laikin agar woh shakhs ghusl tarteebee se ghusl irtemaasee ki taraf ya ghusl irtemaasee se ghusl tarteebee ki taraf palat jaaye to wuzu karna zaruri nahin hai.
385. Agar vaqt ki tangee ki wajah se mukallif shakhs ka fareezah qurbat se kiya hai to ooska ghusl sahee hai. Agarche oos ne namaaz padhne ke liye ghusl kiya ho.
386. Jo shakhs joonoob ho aur agar woh namaaz padhne ke b'ad shak kare keh oos ne ghusl kiya hai ya nahin to jo namaazein woh padh chuka hai woh sahee hain. Laikin b'ad ki namaazon ke

liye ghusl karna zaruri hai aur agar namaaz ke b'ad oos se hadas asghar saadir ho to laazim hai keh wuzu bhi kare aur agar vaqt ho to Ehteyaat-e-laazim ki bina par jo namaa padh chuka hai Oose dobaarah padhe.

387. Jis shakhs par kaeee ghusl waajib hon woh in sab ki niyyat kar ke ek ghusl kar saktaa hai aur zaahir yeh hai keh agar in mein se kisi ek makhsoos ghusl ka qasad kare to woh baaqee ghoosalon ke liye bhi kafee hai.

388. Agar badan ke kisi hisse par Qur'aan Majeedki a'yat ya Allah T'alaa ka naam likhaa ho aur to ghusl ko tarteebee tareeqe se anjaam dene ki surat mein zaruri hai keh baanee apne badan par is tarah pohoonchaa'e keh oos ka haath oon tahreeron ko naa lage. Wuzu karte vaqt a'yat Qur'anee balkeh Ehteyaat-e-waajib ki bina par Allah T'alaa ke naamon ke liye bhi yahee hukm hai.

389. Jis shakhs ne ghusl janaabat kiya ho zaruri hai keh namaaz ke liye wuzu naa kare balkeh ghusl Istehaaza mutawastah ke siwa tamaam ghoosalon aur mass'alah 634 mein bayan kardah tamaam mustahab ghoosalon ke b'ad bhi namaaz padh saktaa hai. Agar che Ehteyaat-e-mustahab hai keh wuzu bhi kare.

Istehaaza

Auraton ko jo khoon 'ate rahte hain oon mein se ek khoon Istehaaza hai aur aurat ko khoon Istehaaza 'ane ke vaqt Moostahaazaah kahte hain.

390. Khoon Istehaaza zayadahtar zard rang ka aur tandhaa hota hai aur fashaar aur jalan ke baghair khaarij hota hai aur gaarhaa bhi nahin hota Laikin mumkin hai keh kabhi sayah ya surkh aur garam aur gaarhaa ho aur fashaar aur jalan ke saath khaarij ho.

391. Istehaaza teen qism ka hota hai : (1) Qaleel (2) Mutawastah (3) Kasheerah.

Istehaaza Qaleelah yeh hai keh khoon sirf oos roe'ee ke uupar waale hisse ko 'aaloodah kare jo aurat apni sharamgah mein rakhe aur oos ru'ee ke andur tak sarayat naa kare.

Istehaaza Mutawastah yeh hai keh khoon roe'ee ke andur tak chalaa jaaye. Agar che is ke ek kone tak yahee ho Laikin roe'ee se oos kapde tak naa pohoonche jo auratein a'amooman khoon rakne ke liye baandhtee hain.

Istehaaza kaseeraa yeh hai keh khoon ru'ee se tajaawaz kar ke kapde tak pohoonch jaaye.

Istehaaza ke Ehkaam

392. Istehaaza Qaleelah mein har namaaz ke liye a'laidaa wuzu karna zaruri hai aur Ehteyaat-e-mustahab ki bina par ru'ee ko dho le ya ise tabdeel kar de aur zaruri hai keh sharmgah ke zaahiree hisse par khoon lagaa hone ki surat main ise bhi dho le.

393. Istehaaza mutawastah mein Ehteyaat-e-laazim ki bina par zaruri hai keh aurat apni namaazon ke liye rozaanaa ek ghusl kare. Yeh bhi zaruri hai keh Istehaaza qalilah ke woh af'aal anjaam de jo saabqah mass'ale mein bayan ho chuke hain. Choonanche agar subah ki namaaz se pahle ya namaaz ke dauraan aurat ko Istehaaza aaa jaaye to subah ki namaaz ke liye Istehaaza karna zaruri hai. Agar jaanbhoojh kar ya bhool kar subah ki namaaz ke liye ghusl na kare to zohar aur asr ki namaaz ke liye ghusl na kare to namaaz maghrib wa Isha' se pahle ghusl karna zaruri hai, khawaah khoon 'a rahaa ho ya boond ho chuka ho.

394. Istehaaza kashirah mein Ehteyaat-e-waajib ki bina par zaroori hai keh aurat har namaaz ke liye ru'ee aur kapde ka tukraa tabdeel kare ya ise dho'e aur ek ghusl fajr ki namaaz ke liye ek ghusl zohar wa asr ki aur ek ghusl maghrib wa ishaa ki namaaz ke liye karna zaruri hai aur zohar wa asr aur maghrib wa ishaa ki namaazon ke darmiyan faaslaa naa rakhe aur agar faaslaa rakhe to asr aur ishaa ki namaaz ke liye ghusl karna zaruri hai. Yeh mazkurah Ehkaam oos surat mein hain agar khoon baar baar ru'ee se patti par pohoonch jaaye. Agar ru'ee se patti tak khoon

pohoonchane mein itnaa faaslaa ho jaaye keh aurat is faasle ke andar ek namaaz ya ek se zayadah namaazein padh sakti ho to Ehteyaat-e-laazim yeh hai keh jab khoon ru'ee se patti tak pohoonch jaaye to ru'ee aur patti ko tabdeel kar le ya dho le aur ghusl kar le. Isi bina par agar aurat ghusl kare aur maslan zohar ki namaaz padhe Laikin asr ki namaaz se pahle ya namaaz ke dauraan dobaarah khoon ru'ee se patti tak pohoonch jaaye to asr ki namaa ke liye bhi ghusl karna zaruri hai. Laikin agar faaslaa itnaa ho keh aurat oos dauraan do ya do se zayadah namaazein padh sakti ho, maslan maghrib aur ishaa' ki namaaz khoon ke dobaarah patti par pohoonchane se pahle padh sakti ho to zaahir yeh hai keh in namaazon ke liye dobaarah ghusl karna zaruri nahin hai aur beharhaal Istehaaza kasheerah mein ghusl karna wuzu ke liye bhi kafee hai.

395. Agar khoon Istehaaza namaaz ke vaqt se pahle bhi aaye aur aurat ne is khoon ke liye wuzu ya ghusl na kiya ho to namaaz ke vaqt wuzu ya ghusl karna zaruri hai. Agar che woh oos vaqt mustehaazah na ho.

396. Mustehaazah mutehwastaa jis ke liye wuzu karna aur Ehteyaat-e-laazim ki bina par ghusl karna zaruri hai. Ise chahi'e keh pahle ghusl kare aur b'ad mein wuzu kare Laikin mustehaazah kasheerah mein agar wuzu karna chaahe to zaruri hai keh wuzu ghusl se pahle kare.

397. Agar aurat ka Istehaaza qaleelah subah ki namaaz ke b'ad mutehwastaah ho jaaye to zaruri hai keh zohar aur asr ki namaaz ke liye ghusl kare aur agar zohar aur asr ki namaaz ke b'ad mutehwastaah ho to maghrib aur isha' ki namaaz ke liye ghusl karna zaruri hai.

398. Agar aurat ka Istehaaza qaleelah ya mutehwastaah subah ki namaaz ke b'ad kashiraah ho jaaye aur woh aurat isi haalat par baaqee rahe to mass'ale 394 mein jo Ehkaam guzar chooke hain namaaz zohar wa asr aur maghrib wa ishaa' padhne ke liye in par ghusl karna zaruri hai.

399. Mutehaazaah kashiraah ki jis surat mein namaaz aur ghusl ke darmiyan zaruri hai keh faaslaah na ho jaisaa keh mass'ale 394 meeen guzar chuka hai. Agar namaaz ka vaqt daakhil hone se pahle ghusl karne ki wajah se namaaz aur ghusl mein faaslaah ho jaaye to is ghusl ke saath namaaz subah nahin hai aur yej mustehazaa namaaz ke liye dobaaraah ghusl kare aur yahee hukm mustehazaa mutehwastaah ke liye bhi hai.

400. Zaruri hai keh mustehazaa qaleelaah wa mutehwastaah rozaanaa ki namaazon ke a'lawa jin ke baare mein hukm uupar bayan ho chuka hai har namaaz ke liye khawaah woh waajib ho ya mustahab, wuzu kare Laikin agar woh chaahe keh rozaanaah ki woh namaazein jo woh padh chooki ho Ehteyaatoon dobaaraah padhe ya jo namaazein oos ne tanhaa padhee hai dobaaraah jam'at padhe to zaruri hai keh woh tamaam af'al bajaa laaye jin ka zikr Istehaazah ke silsile mein kiya gaya hai. Albattah agar woh Ehteyaat, bhUle hu'e sajde aur bhUle hu'e tashadud ki baj'awaree fauran namaaz ke b'ad kare aur isi tarah ajdah sahoo kisi bhi surat mein kare to is ke liye Istehaazah ke af'al ka anjaam denaa zaruri nahin hai.

401. Agar kisi mustehazaa aurat ka khoon ruk jaaye to is ke b'ad jab pahlee namaaz padhe sirf oos ke liye Istehaazah ke af'al anjaam denaa zaruri hai. Laikin ba'd ki namaazon ke liye aisaa karna zaruri nahin hai.

402. Agar kisi aurat ko yeh maa'loom ho keh is ka Istehaaza kaoon saa hai to jab namaaz padhnaa chaahe to binabar Ehteyaat zaruri hai keh pahle tahqeeq kare. Maslan thoree see roo'ee sharmgaah mein rakhe aur kuch deir intezaar kare aur phir ru'ee nikal le aur jab Oose pataa chal jaaye keh is ka Istehaazeen aqsaam mein se koi ek hai to oos qisam ke Istehaaze ke liye jin af'aal ka hukm diya gaya hai oonhein anjaam de. Laikin agar woh jaantee ho keh jis vaqt tak woh namaaz padhnaa chahtee hai oos ka Istehaaza tabdeel nahin ho gaya to namaaz ka vaqt daakhil hone se pahle bhi woh apne baare mein tahqeeq kar sakti hai.

403. Agar mustehazaa apne baare mein tahqeeq karne se pahle namaaz mein masshgool ho jaaye to agar woh qareeb ka qasad rakhti ho aur oos ne apne wazeefe ke mutaabiq a'amal kiya ho,

maslan oos ka Istehaaza qaleelaah ho aur oos ne Istehaaza qaleelaah ke mutaabiq a'malkiya ho to oos ki namaaz sahee hai Laikin agar woh qurbat ka qasad na rakhtee ho ya oos ka a'maloos ke wazeefe ke mutaabiq na ho, maslan oos ka Istehaaza mutaawastaah ho aur oos ne a'malIstehaaza qaleelaah ke mutaabiq kiya ho to oos ki namaaz baatil hai.
404. Agar mustehazaa apne baare mein tahqeeq na kar sake to zaruri hai keh jo oos ka yaqeen farizaa ho oos ke mutaabiq a'malkare, maslan agar woh yeh naa jaantee ho keh ooska Istehaaza mutaawastaah hai ya kasheeraah to zaruri hai keh Istehaaza qaleelaah ke af'aal anjaam de Laikin agar woh jaantee ho keh is se peshtar Oose in teen aqsaam mein se kaoon see qisam ka Istehaaza thaa to zaruri hai keh oos qisam ke Istehaaza ke mutaabiq apnaa farizaa anjaam de.
405. Agar Istehaaza ka khoon apne ibted'aee marhale par jism ke andar hee ho aur baahar naa nikale to aurat ne jo wuzu ya ghusl kiya huaa ho Oose baatil nahin kartaa Laikin agar baahar 'aa jaaye to khswaah kitnaa hee kam kyoon naa ho wuzu aur ghusl ko baatil kar detaa hai.
406. Agar mustehazaa namaaz ke b'ad apne baare mein tahqeeq kare aur khoon naa dekhe to agarche Oose i'lm ho keh dobaaraah khoon aayegaa jo wuzu woh kiye hu'e hai Oosi se namaaz padh sakti hai.
407. Agar mustehazaa aurat yeh jaantee ho keh keh jis vaqt se woh wuzu ya ghusl mein masshghool hu'ee hai khoon oos ke badan se baahar nahin aya aur naa hee sharmgaah ke andar hai to jab tak Oose paak rahne ka yaqeen ho namaaz padhne mein taakhir kar sakti hai.
408. Agar mustehazaa ko yaqeen ho keh namaaz ka vaqt guzarne se pahle pooree tarah paak ho jaayegee ya andaazoon jitnaa vaqt namaaz padhne mein lagtaa hai oos mein khoon 'aanaa boond ho jaayegaa to Ehteyaat-e-laazim ki bina par zaruri hai keh intezaar kare aur oos vaqt namaaz padhe jab tak paak hai.
409. Agar wuzu aur ghusl ke b'ad khoon 'aanaa bazaahir boond ho jaaye aur mutehaazaah ko m'aloom ho keh agar namaaz padhne mein taakhir kare to itnee deir ke liye mukammal paak ho jaayegee jis mein wuzu, ghusl aur namaaz bajaa laa sake to Ehteyaat-e-laazim ki bina par zaruri hai keh namaaz ko maukhar kar de aur jab bilkul paak ho ja'e to dobaaraah wuzu aur ghusl kar ke namaaz padhe aur agar khoon ke bazaahir boond hone ke vaqt namaaz ka vaqt tang ho to wuzu aur ghusl dobaaraah karna zaruri nahin balkeh jo wuzu aur ghusl oosne kiye hu'e hain oonhee ke saath namaaz padh sakti hai.
410. Mustehazaa kasheeraah jab khoon se bilkil paak ho jaaye agar Oose ma'loom ho keh jis vaqt se oos ne guzishtaah namaaz ke liye ghusl kiya thaa phir ab tak khoon nahin aya to dobaaraah ghusl karna zaruri nahin hai basurat deegar ghusl karna zaruri hai. Agar che is hukm ka bataur kulli honaa Ehteyaat ki bina par hai aur mustehazaa mutaawastaah mein zaruri nahin hai keh khoon se bilkul paak hine par ghusl kare.
411. Zaruri hai mustehazaa qaleelaah wuzu ke b'ad, mustehazaa mutehwastaah ghusl aur wuzu ke b'ad aur moostehaazaa qaleelaah ghusl ke b'ad (oon do suraton ke a'lawoh jo massa'lah 394 aur 407 mein 'aaee hain) fauran namaaz mein masshghool ho jaaye. Albattaah namaaz se pahle Azaan aur Aqaamat kahne mein koi harj nahin aur woh namaaz ke mustahab kam, maslan qanoot waghairaah bhi padh sakti hai.
412. Agar mustehazaa aurat jis ka fareezaah yeh ho keh wuzu ya ghusl aur namaaz ke darmiaan faaslaah naa rakhe aur oos ne apne wazeefe ke mutaabiq a'malnaa kiya ho to zaruri hai keh dobaaraah wuzu ya ghusl karne ke b'ad fauran namaaz mein masshghool ho jaaye.
413. Agar aurat ka khoon Istehaaza jaaree rahe aur boond hone mein naa aa'e aur khoon ka roknaa is liye mazroor naa ho to Ehteyaat-e-waajib ki bina par zaruri hai keh ghusl se pahle khoon ko baahar a'ane se roke aur agar aisaa karne mein kotaahee barte aur khoon nikal a'ae to

jo namaaz padh lee ho Oose dobaaraah padhe balkeh Ehteyaat-e-mustahab yeh hai keh dobaaraah ghusl kare.
414. Agar ghusl karte vaqt khoon naa ruke to ghusl sahee hai Laikin agar ghusl ke dauraan Istehaaza mutawastaah Istehaaza kasheeraah ho jaaye to az sar nau ghusl karna zaruri hai.
415. Ehteyaat-e-mustahab hai keh mustehazaa roae se ho to saaraa din jahaan jahaan tak mumkin ho khoon ko nikalne se roke.
416. Masshoor qaul ki bina par mustehazaa kasheeraah ka rozaa oos surat mein sahee hoga keh jis raat ke b'ad ke din woh rozaarakhnaa chaahtee ho oos raat ki Maghrib aur Ishaa' ki namaaz ka ghusl kare. a'lawoh azein din ke vaqt woh ghusl anjaam de jo din ki namaazon ke liye waajib hain Laikin kuch ba'id nahin keh is ke roze sahee hone ke liye ghusl ki shart naa ho jaisaa keh binabar aqwaa moostehaazaa mutaawastaah mein yeh ghusl shart nahin hai.
417. Agar aurat Asr ki namaaz ke b'ad mutehaazaah ho jaaye aur gharoob 'Aftaab tak ghusl naa kare to is ka rozaa bilaa ishkal sahee hai.
418. Agar kisi aurat ka Istehaaza qaleelaah namaaz se pahle mutaawastaah ya kasheeraah ho jaaye to zaruri hai keh mutaawastaah ya kasheeraah ke af'al jin ka uupar zikr ho chuka hai anjaam de aur agar Istehaaza mutaawastaah kasheeraah ho jaaye to chaahe keh Istehaazah kashiraah ke af'al anjaam de. Chunanche agar woh Istehaaza mutawastaah ke liye ghusl kar chooki ho to ooska yeh ghusl be faidaa hoga aur Oose Istehaazah kashiraah ke liye dobaaraah ghusl karna zaruri hai.
419. Agar namaaz ke dauraan kisi aurat ka Istehaaza mutawastaah, kasheeraah mein badal jaaye to zaruri hai keh namaaz toar de aur Istehaazah kasheeraah ke liye ghusl kare aur oos ke dusre af'al anjaam de aur phir Oosi namaaz ko padhe aur Ehteyaat-e-mustahab ki bina par ghusl se pahle wuzu kare aur agar oos ke paas ghusl ke liye vaqt naa ho to ghusl ke badle tayyamum karna zaruri hai aur agar tayyamum ke liye bhi vaqt naa ho to Ehteyaat-e-mustahab ki bina par namaaz toar de aur Oosi haalat mein tayyamum kare Laikin zaruri hai keh vaqt guzarne ke b'ad namaaz ki qazaa kare. Isi tarah agar namaaz ke dauraan oos ka Istehaazah qaleelaah, Istehaazah mutaawastaah ya kashiraah ho jaaye to zaruri hai ke namaaz ko toar de aur Istehaazah ya kasheeraah ke af'al anjaam de.
420. Agar namaaz ke dauraan khoon boond ho jaaye aur mustehazaa ko m'aloom naa ho keh baatin mein bhi khoon boond huaa hai ya nahin ya naa jaantee ho ke haya itnee deir paak rah sakegee jis mein tahaarat karke mukammal namaaz ya is ka kuch hissaah adaa kar sake to Ehteyaat-e-waajib ki bina par zaruri hai keh apne wazeefe ke mutaabiq wuzu ya ghusl kare aur namaaz dobaaraah padhe.
421. Agar aurat ka Istehaaza, mutawastaah ho jaaye to zaruri hai keh pahle namaaz ke liye kasheeraah ka a'malaur b'ad ki namaazon ke liye mutawastaah ka a'malbajaa laaye. Maslan agar zohar ki namaaz se pahle Istehaaza kasheeraah, mutawastaah ho jaaye to zaruri hai keh zohar ki namaaz ke liye ghusl kare aur namaaz asr wa maghrib wa Isha' ke liye sirf wuzu kare. Laikin agar namaaz zohar ke liye ghusl naa kare aur is ke paas sirf namaaz asr ke liye vaqt baaqee ho to zaruri hai keh namaaz sirf ke liye ghusl kare aur agar namaaz asr ke liye bhi ghusl naa kare to zaruri hai keh namaaz maghrib ke liye ghusl kare aur agar is ke liye bhi ghusl naa kare aur is ke paas sirf namaaz 'isha' ke liye vaqt ho to namaaz 'isha' ke liye ghusl karna zaruri hai.
422. Agar har namaaz se pahle mustehazaa kasheeraah ka khoon boond ho jaaye aur dobaaraah 'aa jaaye to har namaaz ke liye ghusl karna zaruri hai.
423. Agar Istehaaza kashiraah, qaleelaah ho jaaye to zaruri hai keh woh aurat pahlee namaaz ke liye kasheeraah waale aur b'ad ki namaazon ke liye qaleelaah waale af'aal bajaa laaye aur agar

Istehaaza mutawastaah, qaleelaah ho jaaye to pahlee namaaz ke liye mutawastaah waale aur b'ad ki namaazon ke liye qaleelaah waale af'aal bajaa laanaa zaruri hai.
424. Mustehazaa ke liye jo af'aal waajib hain agar woh in mein se kisi ek ko bhi tark kar de to is ki namaaz baatil hai.
425. Mustehazaa qaleelaah ya mutawastaah agar namaaz ka koi hissaah Qur'aan Majeed ke alfaaz se mass karna chahtee ho to namaaz adaa karne ke b'ad wuzu karna zaruri hai aur woh wuzu jo namaaz ke liye kiya thaa kafee nahin hai.
426. Jis mutehaazaah ne apne waajib ghusl kar liye hon oos ka Massjid mein janaa aur wohaan thaharnaa aur woh ayat padhnaa jin ke padhne se sajdah waajib ho jaataa hai aur is ke shauhar ka is ke saath majaam'at karna halaal hai. Khawaah oos new ah af'aal jo woh namaaz ke liye anjaam detee thee (maslan ruí aur kapde ke tukre ka tabdeel karna) anjaam naa dee'e hon balkeh yeh af'aal baghair ghusl bhi jaayez hain siwaa'e majaam'at ke jo Ehteyaat-e-waajib ki bina par jaayez nahin.
427. Jo aurat Istehaaza kashiraah ya mutawastaah mein ho agar woh chaahe keh namaaz ke vaqt se pahle oos 'aayat ko padhe jis ke padhne se sajdaah waajib ho jaataa hai ya Massjid mein jaaye to Ehteyaat moostehab ki bina par zaruri hai keh ghusl kare aur agar is ka shauhar is se majaam'at karna chaahe tab bhi yahee hukm hai.
428. Mustehazaa par namaaz ayat ka padhnaa waajib hai aur namaaz ayat adaa karne ke liye yaumeeaah namaazon ke liye bayan kiye gaye tamaam a'maal anjaam denaa zaruri hai
429. Jab bhi yaumiah namaaz ke vaqt mein namaaz ayat mustehazaa par waajib ho jaaye aur woh chaahe keh is dono namaazon ko ek ke b'ad digare adaa kare tab bhi Ehteyaat-e-laazim ki bina par woh in dono ko ek wuzu aur ghusl se nahin padh sakti hai.
430. Agar mustehazaa qazaa namaaz padhnaa chaahe to zaruri hai keh namaaz ke liye woh af'aal anjaam d jo adaa namaaz ke liye oos par waajib hain aur Ehteyaat ki bina par qazaa namaaz ke liye oon afal par ektefaa nahin kar sakti jo keh oos ne adaa nmaaaz ke liye anjaam dee'e hon.
431. Agar koi aurat jaantee ho keh jo khoon Oose 'aa rahaa hai woh zakhm ka khoon nahin hai Laikin oos khoon ke Istehaaza, Ha'ez ya nafaas hone ke baare mein shak kare aur sharoon woh khoon Ha'ez wa nafaas ka hukm rakhtaa ho to zaruri hai keh Istehaazah waale Ehkaam ke mutaabiq a'malkare balkeh agar Oose shak ho keh khoon Istehaazah hai ya koí aur to woh dusre khoon ki 'alaamat bhi naa rakhtaa ho to Ehteyaat-e-waajib ki bina par Istehaazah ke af'aal anjaam denaa zaruri hai.

Ha'ez

Ha'ez woh khoon hai jo a'amuman har mahine chand dino ke liye auraton ke raham se khaarij hota hai aur aurat ko jab Ha'ez ka khoon aaye to Oose haa'ez kahte hain.
432. Ha'ez ka khoon a'amuman garhaa aur garam hota hai aur oos ka rang sayeh ya surakh hota hai. Woh tezee se aur thoree see jalan ke saath khaarij hota hai.
433. Woh khoon jo auraton ko saatth baras poore karne ke b'ad ataa hai Ha'ez ka hukm rakhta hai. Ehteyaat moostehab yeh hai keh woh auratein jo ghair quraish hain woh 50 se 60 saal 'umar ke dauraan khoon is tarah dekhein kah agar woh 50 saal se pahle khoon dekhtee hai to woh khoon yaqeenan Ha'ez ka hukm rakhtaa to woh mustehazaa waale af'aal bajaa laayen aur oon kamon ko tark karen jinhein haa'ez tark kartee hain.
434. Agar kisi larki ko nau saal ki 'umar tak pohoonchne se pahle khoon aaye to woh Ha'ez nahin hai.

435. Haamlaah aur bachche ko dhoodh pilaane wali aurat ko bhi Ha'ez 'aanaa mumkin hai aur haamlaah ghair haamlaah ka hukm ek hee hai. Han! Agar haamlaah aurat apni a'adat ke ayam shuroo' hone ke 20 roz b'ad Ha'ez ki 'alaamaton ke saath khoon dekhe to oos ke liye Ehteyaat ki bina par zaruri hai keh woh oon kamon ko tark kar de jinhein haa'ez tark kartee hai aur mustehazaa ke af'aal bhi bajaa laaye.
436. Agar kisi larki ko khoon aaye jise apne 'umar ken au saal poore hone ka i'lm naa ho aur oos khoon mein Ha'ez ki 'alaamt naa hon to woh Ha'ez nahin hai aur agar oos khoon mein Ha'ez ki 'alaamat hon to oos par Ha'ez ka hukm lagaanaa mahal ishkal hai. Magar yeh itminaan ho jaaye keh yeh haaiz hai aur oos surat mein yeh ma'loom ho jaayegaa keh oos ki 'umar poore nau saal ho gayeee hai.
437. Jis aurat ko shak ho keh oos ki 'umar 60 saal ho gayeee ya nahin, agar woh khoon dekhe aur yeh naa jaantee ho keh yeh Ha'ez hai ya nahin to ooski 'umar 60 saal nahin hu'eee hai.
438. Ha'ez ki muddat teen din se kam aur das din se zayadaah nahin hotee aur agar khoon aane ki muddat teen din se zaraa bhi kam ho to woh hiaz nahin hoga.
439. Ha'ez ke liye zaruri hai keh pahle teen din lagaataar aaye. Lehaazah agar mishaal ke taur par kisi aurat ko do din khoon aaye phir ek din naa aaye aur phir ek din 'aa jaaye to woh Ha'ez nahin hai.
440. Ha'ez ki ibtedaa mein khoon ka baahar 'aanaa zaruri hai Laikin yeh zaruri nahin keh poore teen din khoon nikaltaa rahe balkeh agar sharamgaah mein khoon maujood ho to kafee hai aur agar teen dino mein thore se vaqt ke liye koi aurat po bhi jaaye jaisaa keh tamaam ya b'az auraton ke darmiaan mut'aaruf hai tab bhi woh Ha'ez hai.
441. Ek aurat ke liye yeh zaruri nahin hai keh oos ka khoon pahlee raat aur chauthee raat ko baahar nikale Laikin yeh zaruri hai keh dusri aur teesree raat ko moonqata' naa ho pas agar pahle din subah saware se teesre din gharoob 'aaftaab tak matwaatar khoon ataa rahe aur kisi vaqt boond ho to woh Ha'ez hai aur agar pahle din dopahar se khoon 'aanaa shuroo' ho aur chauthe din Oosi vaqt boond ho to is ki surat bhi yahee hai.(y'ani woh bhi Ha'ez hai).
442. Agar kisi aurat k teen din mutwaatar khoon ataa rahe phir woh paak ho jaaye. Chunaanche agar woh dobaaraah khoon dekhe to jin dino mein woh khoon dekhe aur jin dino mein woh paak ho oon tamaam dino ko milaakar agar das din se zayadaah naa hon to jin dino mein woh khoon dekhe woh Ha'ez ke din hain Laikin Ehteyaat-e-laazim ki bina par paaki ke dino mein woh oon tamaam oomoor ko jo paak aurat par waajib hain anjaam de aur jo oomoor ha'ezaah par haraam hain oonhein tark kar de.
443. Agar kisi aurat ko teen d9in se zayadaah aur das din se kam khoon aaye aur oose yeh i'lm naa ho keh yeh khoon phore ya zakhm ka hai ya Ha'ez to Oose chaahiye keh oos khoon ko Ha'ez naa samjhe.
444. Agar kisi aurat ko aisaa khoon aaye jis ke baare mein oose i'lm naa ho keh zakhm ka khoon hai ya Ha'ez ka to zaruri hai keh apni 'iba'daat bajaa laatee rahe. Laikin agar oos ki saabqah haalat Ha'ez ki rahee ho to oos surat mein oose Ha'ez qaraar de.
445. Agar kisi aurat ko khoon aaye aur oose shak ho keh yeh khoon Ha'ez hai ya Istehaazah to zaruri hai keh Ha'ez ki 'alaamat maujood hone ki surat mein Oose Ha'ez qaraar de.
446. Agar kisi aurat ko khoon aaye aur oose yeh m'aloom naa ho keh yeh Ha'ez hai ya bakarat ka khoon hai to zaruri hai keh apne baare mein tahqeeq kare y'ani kuch ru'ee sharamgaah mein rakhe aur thoree deir intezaar kare. Phir ru'ee baahar neekale. Pas agar khoon ru'ee ke aitraaf mein lagaa huaa ho to khoon bakarat hai aur agar saaree ki saaree ru'ee khoon mein tar ho jaaye to Ha'ez hai.

447. Agar kisi aurat ko teen din se kam muddat tak khoon aaye aur phir boond ho jaaye aur phir teen din tak khoon aaye to dusra khoon Ha’ez hai aur pahlaa khoon khawaah woh oos ki ‘adat ke dino hee tak aya ho Ha’ez nahin hai.

Ha’ez ke Ehkaam

448. Chand cheezein Ha’ez par haraam hain :

1)Namaaz aur oos jaisi digar i’badatein jinhein wuzu, ghusl ya tayyamum ke saath adaa karna zaruri hai. Agar oos niyyat se anjaam de keh sahee a‘amal anjaam de rahee hon, jaayez nahin hai. Laikin oon ‘aba’daton ke adaa karne mein koi harj nahin jin ke liye wuzu, ghusl ya tayyamum karna zaruri nahin jaise namaaz mayyat.

2)Do tamaam cheezein jo majnaam cheezein jo majnb par haraam hain aur aurat dono ke liye haraam hain aur jin ka zikr janaabat ke Ehkaam mein ‘aa chuka hai.

3)Aurat ki farj mein jam’a karna jo mard aur aurat dono ke liye haraam hai khawaah dakhool sirf supaaree ki had tak hee ho aur manee bhi khaarij naa ho balkeh Ehteyaat-e-waajib yeh hai keh supaaree se kam miqdaar mein bhi dakhool naa kiya jaaye. Albattaah yeh hukm aurat se dabar mein majaam’at ke liye nahin Laikin dabar mein majaam’at, aurat ke raazee naa hone ki surat mein Ehteyaat-e-waajib ki bina par jaayez nahin hai chaahe woh ha’ez ho ya naa ho.

449. Oon dino mein bhi jam’a karna haraam hai jin mein aurat ka Ha’ez yaqeen naa ho Laikin sharan oos ke liye zaruri hai keh apne aap ko ha’ezaa qaraar de. Pas jis aurat ko dys din se zayadaah khoon a’aya ho aur oos ke liye zaruri ho keh is hukm ke mutaabiq jiz ka zikr b’ad mein kiya jaayegaa apne ‘aap ko itne din ke liye ha’ez qaraar de jitne din ki oos ke koonbe ki auraton ko ‘adat ho to oos ka shauhar oon dino mein is se majaam’at nahin kar sakta.

450. Agar mard apni biwi se Ha’ez ki haalat mein majam’at kare to oos ke liye zaruri hai keh istaghfaar kare aur kaffaaraah denaa waajib nahin hai. Agar che behtar hai keh kaffaaraah bhi de.

451. Ha’ez se majaam’at ke a’lawoh dusri lutf andoozeeon maslan bosh wa kanaar ki mamaani’at nahin hai.

452. Jaisaa keh talaaq ke Ehkaam mein bataya jaayegaa aurat ko Ha’ez ki haalat mein talaaq denaa baatil hai.

453. Agar aurat kahe keh mein ha’ez hoon ya yeh kahe keh mein ha’ez se paak hoon aur woh galat bayanee naa kartee ho to oos ki baat qabool ki jaaye Laikin agar galat bayan hon to oos ki baat qabool karne mein ishkal hai.

454. Agar ko’í aurat ke namaaz ke dauraan ha’ez ho jaaye to binabaraabar Ehteyaat-e-waajib ki namaaz baatil hai chaahe yeh hiaz ákhree sajde ke b’ad aur salaam ke ‘aakhree haraf se pahle hee aya ho.

455. Agar aurat namaaz ke dauraan shak kare keh ha’ez hu’ee hai ya nahin to is ki namaaz sahee hai Laikin agar namaaz ke b’ad Oose pataa chale keh namaaz ke dauraan ha’ez ho gayee thee to jaisaa keh pichhle mass’ale mein bataya gaya jo namaaz oos ne padhee hai woh baatil hai.

456. Aurat ke Ha’ez se paak ho jaane ke b’ad oos par waajib hai keh namaaz aur dusri ‘ba’daat ke liye jo wuzu, ghusl ya tayyamum kar ke bajaa laanaa chaahein ghusl kare aur oos ka tareeqaah ghusl janaabat ki tarah hai. Yeh ghusl wuzu ki jagah kafee hai. Albattah behtar yeh hai keh ghusl se pahle wuzu bhi kare.

457. Aurat ke Ha’ez se paak ho jaane ke b’ad agarche oosne ghusl naa kiya ho Oose talaaq denaa sahee hai aur oos ka shauhar oos se jam’a bhi kar saktaa hai. Laikin Ehteyaat-e-laazim ki bina par yeh hai keh jam’a sharamgaah dhone ke b’ad kiya jaaye aur Ehteyaat-e-mustahab yeh hai keh oos ke ghusl karne se pahle mard oos se jam’a naa kare. Albattaah is ke a’lawoh dusre ka

jo tahaarat ki shart ki wajah se oos par haraam the jaise Qur'aan ke haraf ko mass karna, jab tak ghusl naa kar le oos par halaal nahin hote balkeh Ehteyaat-e-waajib ki bina par woh kam bhi halaal nahin hote jin ke baare mein yeh saabit nahin ho saka keh yeh tahaarat ki shart ki wajah se haraam the jaise Massjid mein thharnaa.

458. Agar paani wuzu aur ghusl ke liye kafee naa ho aur taqreeban itnaa ho keh oos se ghusl kar sake to zaruri hai keh ghusl kare aur behtar yeh hai keh wuzu ke badle tayyamum kare aur agar paani sirf wuzu ke liye kafee ho aur itnaa naa ho keh oos se ghusl kiya jaa sake to behtar yeh hai keh wuzu kare aur ghusl ke badle tayyamum karna zaruri hai aur agar dono mein se kisi ke liye bhi paani naa ho to ghusl ke badle tayyamum karna zaruri hai aur behtar yeh hai keh wuzu ke badle bhi tayyamum kare.

459. Jo namazein aurat ne Ha'ez ki haalat mein naa padhee ho oon ki qazaa nahin Laikin ramzaan ke woh roze jo Ha'ez ki haalat mein naa rakhe hon zaruri hai keh keh oon ki qazaa kare aur isi tarah Ehteyaat-e-laazim ki bina par jo roze mannat ki wajah se mo'yyin dino mein waajib hu'e hon aur oos ne Ha'ez ki haalat mein woh roze naa rakhe hon to zaruri hai keh oon ki qazaa kare.

460. Jab namaaz ka vaqt 'aajaaye aur aurat ko m'aloom ho keh agar woh namaaz padhne mein deir karegee to ha'ez ho jaayegee to zaruri hai keh fauran namaaz padhe aur agar Oose faqat ihtemaal ho keh namaaz mein taakheer karne se woh ha'ez ho jaayegee tab bhi Ehteyaat-e-laazim ki bina par yahee hukm hai.

461. Agar aurat namaaz padhne mein taakhir kare aur awwal vaqt mein se itna vaqt guzar jaaye jis mein ek namaaz tamaam maqadmaat jaise keh paak lebaas ka intezaam aur wuzu, ke saath anjaam dee jaa sake aur phir Oose Ha'ez 'aa jaaye to oos namaaz ki qazaa oos aurat par waajib hai balkeh agar vaqt aane ke b'ad itna vaqt guzaraa ho keh ek namaaz wuzu ya ghusl balkeh tayyamum kar le padh sakti thee aur naa padhee ho to Ehteyaat-e-waajib ki bina par zaruri hai keh oos ki qazaa akr, chaahe woh vaqt itna kam thaa keh jis mein dusri sharaa'et haasil nahin ki jaa sakti thee. Laikin jaldee padhne aur phir thhar kar padhne aur dusri baaton ke baare mein zaruri hai keh apni kaifiat ke mutaabiq namaaz padhe. Maslan agar ek aurat jo safar mein nahin hai awwal vaqt mein namaaz zohar naa padhe to oos ki qazaa oos par is surat mein waajib hogee jabkeh hadas se tahaarat haasil karne ke b'ad chaar rak'at namaaz padhne ke baraabar vaqt awwal zohar se guzar jaaye aur woh ha'ez ho jaaye aur oos aurat ke liye jo safar mein ho tahaarat haasil karne ke b'ad do rak'at padhne ke baraabar vaqt guzar janaa bhi kafee hai.

462. Agar ek aurat namaaz ke 'aakhir vaqt mein khoon se paak ho jaaye aur oos ke paas andaaz itnaa vaqt ho keh ghusl kar ke ek ya ek se zaa'ed eak'at padh sake to zaruri hai keh namaaz padhe aur agar naa padhe to zaruri hai keh oos ki qazaa bajaa laaye.

463. Agar ek ha'ez ke paas (Ha'ez se paak hone ke b'ad) ghusl ke liye vaqt naa ho Laikin tayyamum kar ke namaaz vaqt ke andar padh sakti ho to Ehteyaat-e-waajib yeh hai keh woh namaaz tayyamum ke saath padhe aur agar naa padhe to qazaa kare. Laikin agar vaqt ki tangee se qat'a nazar kisi aur wajah se oos ka fareezaah hee tayyamum karna ho. Maslan agar paani oos ke liye mazrur ho to zaruri hai keh tayyamum kar ke woh namaaz padhe aur agar naa padhe to zaruri hai keh oos ki qazaa kare.

464. Agar kisi aurat ko Ha'ez se paak ho jaane ke b'ad shak ho keh namaaz ke liye vaqt baaqee hai ya nahin to zaruri hai keh namaaz padhe.

465. Agar koi aurat is khayal se namaaz naa padhe keh hadas se paak hone ke b'ad ek rak'at namaaz padhne ke liye bhi oos ke paas vaqt nahin hai Laikin b'ad mein Oose pataa chale keh vaqt thaa to oos namaaz ki qazaa bajaa laanaa zaruri hai.

466. Ha’ez ke liye mustahab hai keh namaaz ke vaqt apne ‘aap ko khoon se paak kare aur ru’ee aur kapde ka tukraa badle aur wuzu kare aur agar wuzu naa kar sake to tayyamum kare aur namaaz ki jagah par rubaa qiblaah baithh kar zikr du’aa aur salwaat mein ashghool ho jaaye.
467. Ha’ez ke liye Qur’aan Majeedka padhnaa aur Oose apne saath rakhnaa aur apne badan ka koi hissah oos ke alfaaz ke darmiyani hisse se mass karna nez mahndee ya is jaisi kisi aur cheez se khazaaf karna b’az faqhaa’ ke qaul ke mutaabiq makruh hai.

Ha’ez Ki Qismein

468. Ha’ez ki chhe qisme hain :

1) Vaqt aur a‘dad ki ‘adat rakhne wali aurat : yeh woh aurat hai jise yake b’ad digare do mahino mein ek mo’yyin vaqt par Ha’ez aaye aur oos ke Ha’ez ke dino ki t’asaad bhi do mahino mein ek jaisi ho. Maslan Oose yake b’ad digare do mahino mein mahine ki pahlee taareekh se saatween taareekh tak khoon aaye.
2) Vaqt ki a‘adat rakhne wali aurat : yeh woh aurat hai jise yake b’ad digare do mahino mein mo’yyin vaqt par Ha’ez aaye Laikin oos ke Ha’ez ke dino ki t’adaad dino, mahino mein ek jaisi naa ho. Maslan yake b’ad digare do mahino mein Oose mahine ki pahlee taareekh se khoon ‘aanaa shuroo’ ho Laikin woh pahle mahine mein saatwein din aur dusre mahine mein ‘aathwein din khoon se paak ho.
3) a‘dad ki a‘adat rakhne wali aurat : yeh woh aurat hai jis ke Ha’ez ke dino ki t’adad yake b’ad digare do mahino mein ek jaisi ho Laikin har mahine khoon aane ka vaqt yaksaan naa ho. Maslan pahle mahine mein Oose paanchiween se daswee taareekh tak aur dusre mahine mein paanchwee se sathawee taarikh tak khoon aaye.
4) Muztarbaah : yeh woh aurat hai jise chand mahine khoon aya ho Laikin oos ki a‘adat mo’yyin naa hu’ee ho ya oos ki saabqaah a‘adat bigar gayee ho aur na’ee a‘adat naa banee ho.
5) Mabtada’aah : yeh woh aurat hai pahlee daf’aa khoon aya ho.
6) Naseyeh : yeh woh aurat hai jo apni a‘adat bhool chooki ho.

In mein se har qism ki aurat ke liye a’laidaah Ehkaam hain jin ka zikr ‘aaindaah massa’el mein kiya jaayegaa.

1 – Vaqt aur a’adad ki a‘adat rakhne wali aurat

469. Jo auratein vaqt aur a‘dad ki ‘adat rakhtee hain oon ki do qismein hain :

2) Woh aurat jise yake b’ad digare do mahino mein ek mo’yyin vaqt par khoon aaye aur woh ek mo’yyin vaqt par hee paak bhi ho jaaye maslan yake b’ad digare do mahino mein Oose mahine ki pahlee taareekh ko khoon aaye aur woh saatwein roz paak ho jaaye to oos aurat ki Ha’ez ki a‘adat mahine ki pahlee taarikh se saatwee taarikh tak hai.
3) Woh aurat jise yake b’ad digare do mahino mein mo’yyin vaqt par khoon aaye aur jab teen ya zayadah din tak khoon ‘aa chooke to woh ek ya zayadah dino ke liye paak ho jaaye aur phir Oose dobaarah khoon ‘aa jaaye aur oon tamaam dino ki t’adad jin mein Oose khoon aya hai bashamool oon dino ke jin mein woh paak rahee hai das se zayadah naa ho aur dono mahino mein tamaam din jin mein Oose khoon aya aur beech ke woh din jin mein paak rahee ho ek jaise hon to oos ki a‘adat oon tamaam dino ke mutaabiq qaraar paa’e gee jin mein Oose khoon aya Laikin oon dino ko shaamil nahin kar sakti jin ke darmiaan paak rahee ho. Pas laazim hai keh jin dino mein Oose khoon aya ho aur jin dino mein woh paak rahee ho dono mahino mein oon dino ki t’adad ek jaisi ho maslan agar pahle mahine mein aur Oosi tarah dusre mahine mein Oose pahlee taarikh se teesree taarikh tak khoon aaye aur phir teen din tak paak rahe aur phir teen din dobaarah khoon aaye to oos aurat ki a‘adat

chhe mutafarraq din ki ho jaayegee aur darmiaan ke tahaarat waale teen dino mein Ehteyaat-e-waajib ki bina par zaruri hai keh ha'ez par jo kam haraam hain oonhein tark kar de aur mustehaazah ke a'amaal ko anjaam de. Han agar Oose dusre mahine mein aane waale khoon ke dino ki t'adad oos se kam zayadah ho to yeh aurat vaqt ki a'adat rakhtee hai, a'dad ki nahin.

470. Jo aurat vaqt ki a'adat rakhtee ho khawaah a'dad ki a'adat rakhtee ho ya naa rakhtee ho agar Oose a'adat ke vaqt ya oos se ek do din ya oos se bhi kuchh pahle khoon 'aa jaaye jab keh yeh kahaa jaaye keh oos ki a'adat vaqt se qabl ho gayee hai agar oos khoon mein Ha'ez ki 'alaamat naa bhi hon tab bhi zaruri hai keh oon Ehkaam par a'amal kare jo ha'ez ke liye bayan kiye gaye hain. Aur agar b'ad mein Oose pataa chale keh woh Ha'ez ka khoon nahin thaa maslan woh teen din se pahle paak ho jaaye to zaruri hai keh jo 'iba'daat oos ne anjaam naa dee hon oon ki qazaa kare.

471. Jo aurat vaqt aur a'dad ki a'adat rakhtee ho agar Oose a'adat ke tamaam dino mein aur a'adat se chand din pahle aur a'adat ke chan din b'ad khoon aaye aur woh kul milaa kar das din se zayadah hon to woh saare ka saaraa Ha'ez hai aur agar yeh muddat das din se barh jaaye to jo khoon Oose a'adat ke dino mein aya hai woh Ha'ez hai aur jo a'adat se pahle ya b'ad mein aya hai woh Istehaaza hai aur jo 'iba'daat woh a'adat se pahle aur b'ad ke sino mein bajaa nahin laayee in ki qazaa karna zaruri hai aur agar a'adat ke tamaam dino mein aur saath hee a'adat se kuchh din pahle Oose khoon aaye aur oon sab dino ko milaa kar oon ki t'adad das se zayadah naa ho to saraa Ha'ez hai aur agar dino ki t'adad das se zayadah ho jaaye to sirf a'adat ke dino mein aane walaa khoon Ha'ez hai agarche is mein Ha'ez ki a'laamat naa hon aur oos se pahle aane walaa khoon Ha'ez ki a'laamat ke saath ho aur jo khoon is se pahle aaye woh istehaazah hai aur agar oon dino mein 'iba'daat naa ki ho to zaruri hai keh oos ki qazaa kare aur agar a'adat ke tamaam dino mein aur saath hee a'adat ke chand cin b'ad khoon aaye aur kul dino ki t'adad milaa kar das se zayadah naa ho to saaraa Ha'ez hai aur agar yeh t'adaad das se barh jaaye to sirf a'adat ke dino mein aane walaa khoon Ha'ez hai aur baaqee istehaazah hai.

472. Jo aurat vaqt aur a'dad ki a'adat rakhtee ho agar Oose a'adat ke kuchh din aur kuchh a'adat se pahle khoon aa'e aur oon tamaam dino ko milaakar das se zayadah naa ho to woh saaraa Ha'ez hai aur agar oon dino ki t'adad das se barh jaaye to jin dino mein Oose hasbe a'adat khoon aya hai aur pahle ke chand din shaamil karke a'adat ke dino ki t'adad pooree hone tak Ha'ez aur shuru ke dino ko Istehaaza qar de aur agar a'adat ke kuchh dino ke saathg saath a'adat ke b'ad ke kuchh dino mein khoon aaye aur oon sab dino ko meelaakar oon ki t'adad das se zayadah naa ho to saare ka saaraa Ha'ez hai aur agar das se barh jaaye to Oose chaahiye keh jin dino mein a'adat k mutaabiq khoon aa'ya hai oos mein b'ad ke chand din milaakar jin dino ki majm'oee t'adad oos ki a'adat ke dino ke baraabar ho jaaye oonhein Ha'ez aur baaqee ko Istehaaza qaraar de.

473. Jo aurat a'adat rakhtee ho agar oos ka khoon teen ya zayadah din tak aane ke b'ad ruk jaaye aur phir dobaarah khoon aaye aur oon dino khoon ka darmiyani faaslaah das din se kam ho aur oon sab dino ki t'adad jin mein khoon aya hai bashamool in darmiyani dino ke jin mein paak rahee ho das se zayadah ho. Maslan panch din khoon aya ho phir paanch din ruk gaya ho aur phir paanch din dobaarah aya ho to oos ki chand suratein hain :

1) Woh tamaam khoon ya oos ki kuchh miqdaar jo pahlee baar dekhe a'adat ke dino mein ho aur dusra khoon jo paak hone ke b'ad aya hai a'adat ke dino mein naa ho. Is surat mein zaruri hai ke pahle tamaam khoon ko Ha'ez aur dusre khoon ko Istehaaza qaraar de siwaa'e oos ke jo dusre khoon mein Ha'ez ki a'laamat maujood honk eh is surat mein dusre khoon ki itnee miqdaar jo pahle khoon aur darmiyan ki paaki ke ayam se milkar das din se zayadah naa hotee ho, Ha'ez aur baaqee sab Istehaaza hai. Maslan agar teen din khoon

dekhe, phir teen din paak ho jaaye aur phir paanch din khoon dekhe jis mein Ha'ez ki a'laamat maujood ho to pahle khoon ke teen din aur dusre khoon ke ibtedaa'ee chaar din Ha'ez hain aur darmiyani ke tahaarat ke ayam ke liye Ehteyaat-e-waajib ki bina par zaruri hai keh ha'ez ke mahuremaat se bache aur ghair ha'ez ke waajebaat par a'malkare.

2) Pahla khoon a'adat ke dino mein naa aaye aur dusra tamaam khoon ya oos ki kuchh miqdaar a'adat k dino mein aaye to zaruri hai keh dusre tamaam khoon ko Ha'ez aur pahle ko Istehaazah qaraar de.

3) Pahle aur dusre khoon ki kuchh miqdaar a'adat ke dino mein aaye aur ayam a'adat mein aane walaa pahlaa khoon teen din se kam naa ho oos surat mein woh muddat darmiyan mein paak rahne ki muddat aur a'adat ke dino mein aane waale dusre khoon ki muddat das din se zayadah naa ho to dono khoon Ha'ez hain aur Ehteyaat-e-waajib yeh hai keh woh paaki ki muddat mein paak aurat ke kam bhi anjaam de aur woh kam jo ha'ez par haraam hain tark kare. Dusre khoon ki woh miqdaar jo a'adat ke dino ke b'ad aaye Istehaazah hai. Khoon awwal ki woh miqdaar jo ayam a'adat se pahle aayee ho aur 'arfan kahaa jaaye keh oos ki a'adat vaqt se pahle ho gayee hai to woh khoon, Ha'ez ka hukm rakhtaa hai. Laikin agar oos khoon par Ha'ez ka hukm lagfaane se dusre khoon ki bhi kuchh miqdaar jo a'adat ke dino mein thee ya saare ka saaraa khoon, Ha'ez ked oos din se zayadah ho jaaye to oos surat mein woh khoon, istehaazah ka hukm rakhtaa hai. Maslan agar aurat ki a'adat mahine ki 3rd se 10th taarikh tak ho aur Oose kisi mahine ki 1st se 6th taarikh tak khoon aaye aur phir do din ke liye boond ho jaaye aur phir 15th taarikh tak aaye to 1st se 10th taarikh tak Ha'ez hai aur 11th se 15th taarikh tak aane walaa khoon istehaazah hai.

4) Pahle aur dusre khoon ki kuchh miqdaar teen din se kam ho. Is surat mein zaruri hai keh pahle a'adat mein aane waale khoon ki miqdaar teen din se kam ho. Is surat mein zaruri hai keh pahle khoon ke aakharee teen din, darmiyan mein paaki ke din aur dusre khoon ke itne dino ko Ha'ez qaraar de jo sab milkar das din bante hon aur das ke b'ad waale aare khoon ko istehaazah qaraar de. Lehaaza agar paaki ke ayam saat din hon to dusra khoon saaraa ka saaraa istehaazah hoga. Albattah do sharaa'et ke saath zaruri hai keh pakle aane waale poore khoon ko Ha'ez qaraar de :

1.Oose apni a'adat se kuchh din pahle khoon aya ho keh oos ke baare mein yeh kahaa jaaye keh oos ki a'adat tabdeel ho kar vaqt se pahle ho gayee hai.

2.Woh Oose Ha'ez qaraar de to yeh laazim naa aaye keh oos ke dusre khoon ki kuchh miqdaar jo keh a'adat ke dino mein aya ho Ha'ez ke das din se baahar ho jaaye. Maslan agar aurat ki a'adat mahine ki 4th taarikh se 10th taarikh tak thee aur Oose mahine ke pahle din se 4th din ke aakharee wat tak khoon aaye aur do din ke liye paak ho aur phir dobaarah Oose 15th taarikh tak khoon aaye to oos surat mein pahlaa poore ka pooraa khoon Ha'ez hai aur Oosi tarah dusra woh khoon bhi jo daswein din ke aakharee vaqt tak aaye Ha'ez ka khoon hai.

474. Jo aurat vaqt aur a'dad ki a'adat rakhtee ho agar Oose a'adat ke vaqt khoon naa aaye balkeh oos ke a'lawoh kisi aur vaqt Ha'ez ke dino ki t'adad mein khoon 'hai keh Oosi khoon ko Ha'ez qaraar de khawaah woh a'adat ke vaqt se pahle aaye ya b'ad mein aaye.

475. Jo aurat vaqt aur a'dad ki a'adat rakhtee ho aur Oose a'adat ke vaqt teen ya teen se zayadah din tak khoon aaye Laikin oos ke dino ki t'adad oos ke a'adat ke dino se kam ya zayadah ho aur paak hone ke b'ad Oose dobaarah utne dino ke liye khoon aaye jitne ooski a'adat ho to oos ki chand suratein hain :

(1) Dono khoon ke dino aur oon ke darmiyan paak rahne ke dino ke milaakar das din se zayadah naa hon to is surat mein dono khoon ek Ha'ez shumaar honge.

(2) Dono khoon ke darmiyan paak rahne ki muddat das din se zayadah ho to oos surat mein dono khoon mein se har ek moostaqil Ha'ez qaraar diya jaayegaa.

(3) In dono khoon ke darmiyan paak rahne ki muddat das din se kam ho jabkeh yeh dono khoon aur darmiyan mein paak rahne ki saaree muddat majm'oee taur par das din se zayadah ho to is surat mein zaruri hai keh pahle aane waale khoon ko Ha'ez aur dusre hoon ko istehaazah qaraar de.

476. Jo aurat vaqt aur a'dad ki a'adat rakhtee ho agar Oose das se zayadah din tak khoon aaye to jo khoon Oose a'adat ke dino mein aaye khawaah woh Ha'ez ki a'laamat naa rakhtaa hotab bhi Ha'ez hai aur jo khoon a'adat ke dino ke b'ad aaye khawaah woh Ha'ez ki a'laamat rakhtaa ho woh istehaazah hai. Maslan agar ek aisi aurat jis ki Ha'ez ki a'adat mahine ki 1st se 7th taarikh tak ho Oose 1st se 12th taarikh tak khoon aaye to pahle saath din Ha'ez aur baaqee paanch din istehaazah ke honge.

2 - Vaqt ki a'adat rakhne wali aurat

477. Jo auratein vaqt ki a'adat rakhtee hain aur oon ki a'adat ki 1st taarikh mo'yyin ho oonki do Qismein hain :

(1) Woh aurat jise yake b'ad digare do mahino mein mo'yyin vaqt par khoon aaye aur chand dino b'ad boond ho jaaye Laikin dono mahino mein khoon aane ke dino ki t'adad mukhtalif ho. Maslan Oose yake b'ad digare do mahino mein mahine ki 1st taarikh ko khoon aaye Laikin pahle mahine mein 7th din aoosre mahin emein 8th din boond ho. Aisi aurat ko chaahiye keh mahine ki 1st taarikh ko apni a'adat qaraar de.

(2) Woh aurat jise yake b'ad digare do mahino mo'yyin vaqt par teen ya zayadah din tak khoon aaye aur phir kuchh din paak hone ke b'ad dobaarah khoon aaye aur in tamaam dino ki t'adad jis mein khoon aya hai ma' oon darmiyani dino ke jin mein khoon boond rahaa hai das se zayadah naa ho Laikin dusre mahine mein dono ki t'adad pshle mahine se kam ya zayadah ho maslan pahle mahine mein aathh din aur dusre mahine meinm nau din bante hon jabkeh dono mahino mein pahlee taarikh se hee khoon shuru huaa ho to oos aurat ko bhi chaahiye keh mahine ki pahle taarikh ko apni Ha'ez ki aadat ka pahlaa din qaraar de.

478. Jo aurat vaqt ki a'adat rakhtee hai agar Oose a'adat ke dino mein ya a'adat se do teen din pahe khoon aaye to zaruri hai keh woh aurat oon Ehkaam par a'malkare jo ha'ez ke liye bayan kiye gaye hain aur is surat ki tafseel mass'ale 470 mein guzar chooki hai. Laikin in do suraton ke a'lawamaslan yeh keh a'adaty se is qadar pahle khoon aaye keh yeh naa kahaa jaa sake keh a'adat vaqt se qabl ho gayee hai balkeh yeh kahaa jaaye keh a'adat ke ayam se hat kar khoon aya hai ya yeh kahaa jaaye keh a'adat ke b'ad khoon aya hai. Chunaanche woh khoon Ha'ez ki 'alaamat ke saath aaye to zaruri hai keh oon Ehkaam par a'malkare j ha'ez ke liye bayan kiye gaye hain. Isi tarah agar oos khoon mein Ha'ez ki a'laamat naa hon Laikin woh aurat yeh jaantee ho keh khoon teen din tak jaaree rahegaa tab bhi yahee hukm hai. Agar yeh naa jaantee ho keh khoon teen din tak jaaree rahegaa ya nahin to Ehteyaat-e-waajib yeh hai keh woh kam jo mustehaazah par waajib hain anjaam de aur woh kam jo haa'ez par haraam hain tark kare.

479. Jo aurat vaqt ki a'adat rakhtee hai agar Oose a'adat ke dino mein khoon aaye aur oos khoon ki a'adat das din se zayadah ho to oos surat mein keh chand dino tak khoon mein a'laamat Ha'ez hon aur chand din naa ho aur a'laamat waale dino ki t'adad teen din se zay das din se kam ho to oos t'adad ko Ha'ez aur baaqee ko istehaazah qaraar de. Agar 'alaamaton walaa khoon do martabah aaye maslan pahle chaar din Ha'ez ke a'laamat walaa khoon aur phir chaar din istehaazah ki a'laamat walaa khoon aur phir chaar din Ha'ez ki a'laamat walaa khoon aaye to sirf

pahle khoon ko Ha'ez aur baaqee sab ko istehaazah qaraar de. Agar Ha'ez ki a'laamat waa khoon teen din se kam ho to itnee t'adad ko Ha'ez qaraar de kar Ha'ez ke dino ki t'adad b'ad mein aane waale do mein ek tareeqe (nazdiki khawaahteen se rajoo' ya a'dad ka intekhaab) se mo'yyin kare jabkeh agar Ha'ez ki a'laamat walaa khoon das din se zayadah ho to oonhein do tareeqon mein se kisi ek ke zari'e Ha'ez ke dino ko ma'een kar le. Agar oos ke liye a'laamat Ha'ez ke zari'e muddat ma'een karna mumkin naa ho y'anee oos ka saaraa khoon ek jaisaa ho ya a'laamat walaa khoon teen din se kam ya das din se zayadah ho to Oose chaahiye keh apne ristedaaron mein se b'az auraton ki a'adat ke mutaabiq Ha'ez qaraar de. Chaahe woh ristaa maa ki taraf se ho ya baap ki taraf se, zindaah ho ya murdaah Laikin ooski do shartein hain :

(1) Oose apne Ha'ez ki miqdaar aur oos ristedaar aurat ki a'adat ki miqdaar mein faraq ka i'lm naa ho maslan yeh keh woh khud naujawaan ho aur taaqat ke lehaaz se qoovee aur dusri aurat 'umar ke lehaaz se ya'seya hone ke nazdeek ho jabkeh m'amooloon a'adat ki miqdaar kam hotee hai. Isi tarah woh khud 'umar ke lehaaz se ya'esah ke nazdeek ho aur ristedaar aurat naujawaan ho ya aisi aurat jo naaqas a'adat wali ho jis ke m'anee aur Ehkaam mass'ale 489 mein bayan kiye jaayenge.

(2) Oose oos aurat ki a'adat ki miqdaar mein aur oos ki dusri ristedaar auraton ki a'adat ki miqdaar mein keh jin mein pahlee shart maujood hai ikhtelaaf ka i'lm naa ho Laikin agar ikhtelaaf itnaa kam ho keh Oose ikhtelaaf shumaar naa kiya jaataa ho to koi harj nahin hai. Aur is aurat ke liye bhi yahee hukm hai jo vaqt ki a'adat rakhtee hai aur a'adat ke dino mein koi khoon hee naa aaye Laikin a'adat k vaqt ke a'lawakoi khoon aaye jo das din se zayadah ho aur Ha'ez ki miqdaar ko nishaani'on ke zari'e mo'yyin naa kar sake.

480. Vaqt ki a'adat rakhne waali aurat apni a'adat ke a'lawoh vaqt mein aane waale khoon ko Ha'ez qaraar nahin de sakti, lehaazah agar Oose a'adat ka ibtedaa'ee vaqt m'aloom ho maslan har mahine ki pahlee ko khoon ataa ho aur kabhi paanchwee aur kabhi chhatee ko khoon se paak hotee ho chunanche Oose kisi ek mahine mein baarah din khoon aaye aur woh Ha'ez ki nishaanion ke zari'e is ki muddat mo'een naa kar sake to zaruri hai keh mahine ki pahlee ki pahlee taarikh qaraar de aur oos ki t'adad ke baare mein jo kuchh pichhle mass'ale mein bayan kiya gaya hai oos par a'malkare. Agar oos ki a'adat ki darmiyani ya aakharee taarikh m'loom ho choonanche agar Oose das din se zayadah khoon aaye to zaruri hai keh oos ka hisaab is tarah kare keh aakharee ya darmiyani taarikh mein se ek oos ke a'adat ke dino ke mutaabiq ho.

481. Jo aurat vaqt ki a'adat rakhtee ho aur Oose das din se zayadah khoon aaye aur oos khoon ko mass'ale 479 mein bataa'e gaye tareeqe se mo'een naa kar sake to Oose ikhteyar hai keh teen din se das din tak jitne din Ha'ez ki miqdaar ke manasib samjhe Ha'ez qaraar de. Behtar yeh hai keh saath dino ko Ha'ez qaraar de. Laikin zaruri hai keh jin dino ko woh Ha'ez qaraar de woh din oos ki a'adat ke vaqt ke mutaabiq hon jaisaa keh pichhle mass'ale mein bayan kiya jaa chuka hai.

3 – A'dad ki a'adat rakhne wali aurat

482. Jo aurat vaqt aur a'dad ki a'adat rakhtee hain oon ki do qismein hain :

1) Woh aurat jis ke Ha'ez ke dino ki t'adaad yake b'ad digare do mahino mein yaksan ho laikin oos ke khoon aane ka vaqt ek na ho oos surat mein jitney din oose khoon aaye wohi oos ki a'adat hogi. Maslan agar pahle mahine mein Oose 1st taarikh se 5th taarikh tak aur dusre mahibe mein 11th se 15th tareekh tak khoon aaye to oos ki a'adat paanch din hogi.

2) Woh aurat jise yakam b'ad digar do mahino mein se har ek mein teen ya teen se zayadah dino tak khoon aa'e aur ek ya is se za'ed dino ke liye boond ho jaaye aur phir dobaarah khoon aaye aur khoon aane ka vaqt pahle aur dusre mahine mein mukhtalif ho in surat mein in tamaam dino ki t'adaad jin min khoon aya hai oon darmiyani dino ke jin mein

khoon boond rahaa hai das se zayadah naa ho aur dono mahino mein se har ek mein in ki t'adaad bhi yaksaan ho to woh tamaam din jin mein khoon aya hai oos ke Ha'ez ki a'adat ke din shumaar kiye jaayengeaur oon darmiyani dino mein jin mein khoon nahin aya hai zaruri hai keh Ehteyaat karte hu'e jo kam paak aurat par waajib hainanjaam de aur jo kam haa'ez par haraam hain oonhein tark kare. Maslan agar pahle mahine mein Oose 1st taarikh se 3rd taarikh tak khoon aaye aur do din ke liye boond ho jaaye aur phir dobaarah teen din khoon aaye aur dusre mahine mein 11th taarikh se 13th taarikh tak khoon aaye aur do dine ke liye boond ho jaaye aur phir teen din tak khoon aaye to is aurat ki a'adat chhe din ki hogee. Agar pahle mahine mein Oose aathh din khoon aaye aur dusre mahine mein chaar din khoon aaye aur phir boond ho jaaye aur phir dobaarah aaye aur khoon ke dino aur darmiaa'e aur khoon ke dino aur darmiyan mein khoon boond ho jaane waale dino ki majma'oee t'adaad aathh din ho to yeh aurat a'dad ki a'adat nahin rakhtee balkeh muztarbaah shumaar hogee jis ka hukm b'ad mein bayan kiya jaayegaa.

483. Jo aurat a'dad ki a'adat rakhtee ho agar Oose apni a'adat ki t'adaad se kam ya zayadah khoon aaye aur oon dino ki t'adaad das se zayadah naa ho to oon tamaam dino ko Ha'ez qaraar de. Agar oos ki a'adat se zayadah khoon aaye aur das din se tajaawiz kar jaaye to agar tamaam ka tamaam khoon ek jaisaa ho to khoon aane ki ibtedaa se le kar oos ki a'adat ke dino tak Ha'ez aur baaqee khoon ko istehaazah qaraar de. Agar aane walaa tamaam khoon ek jaisaa naa ho balkehj kuchh din Ha'ez ki a'laamat ke saath aur phir kuchh din Istehaazah ki a'laamat ke saath ho pas agar Ha'ez ki a'laamat ke saath aane waale khoon ke dino ki t'adaad oos ki a'adat ke dino ke baraabar ho to zaruri hai keh oon dino k Ha'ez aur baaqee dino ko Istehaazah qaraar de aur agar oon dino ki t'adaad jin mein khoon Ha'ez ki a'laamat ke saath aya ho a'adat ke dino se zayadah ho to sirf a'adat ke din Ha'ez aur baaqee din Istehaazah hai aur agar Ha'ez ki a'laamat ke saath aane waale khoon ke dino ki t'adaad a'adat ke dino se kam ho to zaruri hai keh oon dino ke saath chand aur dino ko milaakar a'adat ki muddat pooree kare aur oon ko Ha'ez aur baaqee dino ko Istehaazah qaraar de.

4 - Muztarbaah

484. Muztarbaah y'ani woh aurat jise do maah khoon aaye Laikin vaqt aur a'dad dono ke lehaaz se oos ki a'adat mo'yyin naa hu'ee ho agar Oose das din se zayadahj khoon aaye aur saaraa khoon ek jaisaa ho maslan tamaam khoon ya Ha'ez ki nishaanion ke saath ya Istehaazah ki nishaanion ke saath aya ho to oos ka hukm vaqt ki a'adat rakhne wali aurat ka hukm hai keh jise apni a'adat ke a'lawoh watq mein khoon aaye aur a'laamat ke zari'e Ha'ez ko Istehaazah se tameez naa de sakti ho to zaruri hai keh apni ristedaar auraton mein se b'az auraton ki a'adat ke mutaabiq Ha'ez qaraar de aur agar yeh mumkin naa ho to teen se das din mein se kisi ek a'dad ko oos tafseel ke mutaabiq jo mass'ale 479 aur 481 mein bayan ki gayee hai apne Ha'ez ki a'adat qaraar de.

485. Agar muztarbaah ko das din se zayadah khoon aaye jis mein se chand dino ke khoon mein Ha'ez ki a'laamat aur chand dusre dino ke khoon mein Istehaazah ki a'laamat hon to zaruri hai keh mass'ale479 ki ibtedaah mein bayan kiye gaye hukm ke mutaabiq a'malkare.

5 – Mubtadyaa

486. Mubtad'aah y'anee oos aurat ko jise pahlee baar khoon aya ho agar das din se zayadah khoon aaye aur woh tamaam khoon ek jaisaa ho to Oose chaahiye keh apne koonbe waalon ki a'adat ki miqdaar ko Ha'ez aur baaqee ko oon do sharton ke saath Istehaazah qaraar de jo mass'ale 479 mein bayan hu'ee hain. Agar yeh mumkin naa ho to zaruri hai keh mass'ale 481 mein dee gayee tafseel ke mutaabiq teen se das din mein se kisi ek a'dad ko apne Ha'ez ke din qaraar de.

487. Agar mubtad'aah ko das din se zayadah din tak khoon aaye jabkeh chand din aane waale khoon mein Ha'ez ki a'laamat aur chand din aane waale khoon mein Istehaazah ki a'laamat hon to jis khoon mein Ha'ez ki a'laamat hon agar woh teen din se kam aur das din se zayadah naa ho saaraa Ha'ez hai. Laikin jis khoon mein Ha'ez ki a'laamat thee oos ke b'ad das din guzararne se pahle dobaarah khoon aaye aur is mein bhi Ha'ez ki a'laamat hon maslan paanch din sayeh khoon aur nau din zard khoon aur phir dobaarah paanch din sayeh khoon aaye to Oose chaahiye keh pahle aane waale khoon ko Ha'ez aur b'ad mein aane waale dono khoon ko Istehaazah qaraar de jaisaa keh muztarbaah ke mutaabiq bataya gaya hai.

488. Agar mubtad'aah ko das din se zayadah din tak khoon aaye jo chand din Ha'ez ki a'laamat ke saath aur chand din Istehaazah ki a'laamat ke saath ho laikin jis khoon mein Ha'ez ki a'laamat hon woh teen din se kam ya das dino se zayadah muddat tak aya ho to zaruri hai keh mass'ale 479 ki ibtedaa mein baa'e gaye tareeqe ke mutaabiq a'malkare.

6 - Naaseyah

489. Naaseyah y'ani woh aurat jo apni a'adat ki miqdaar, ayam ya dono ko bhool chuki ho. Aisi aurat agar khoon dekhe jis ki muddat teen din se kam aur duz dino se zayadaah naa ho to saraa Ha'ez hai Laikin agar oos khoon ki miqdaar das dino se zayadah ho to oos ki chand qismein hain :

1) Oos ki 'aaadat a'dad, vaqt ya dono ki thee aur apni a'adat ko is tarah bhool chooki ho keh ajmaalee taur par bhi Oose vaqt ya a'dad yad naa rahaa ho aisi aurat ka hukm rakhtee hai jis ka tazkeraah ho chuka hai.
2) Oos ki a'adat vaqt ki to thee hee, ab chaahe a'dad ki thee ya naa thee, Laikin apni vaqt ki a'adat se Oose ajmaalee taur par vaqt yad hai. Maslan Oose itnaa yad hai keh falaan din oos ki a'adat ka din hai Laikin woh oon ayam ko Ha'ez ke ayam qaraar nahin de sakti jo yaqeenan oos ki a'adat ke ayam ke barkhilaaf hain. Maslan agar Oose m'aloom ho keh mahina ka 17th din oos ki a'adat ka din hota thaa ya yeh m'aaloom ho keh oos ki a'adat ke ayam mahine ke dusre 15 dino mein hote the aur woh auart mahine ki pahlee taarikh se 20 taarikh tak khoon dekhe to chaahe ibtedaa'ee das dino mein Ha'ez ki a'laamat hon aur dusre das dino mein Istehaazah ki a'laamat hon, woh aphle das dino ko ayam Ha'ez qaraar nahin de sakti.
3) Oos ki a'adat a'dad ki a'adat thee aura b Oose bhool chooki hai, yeh aurat bhi mubtadeyeh ka hukm rakhtee hai Laikin zaruri hai keh jis miqdaar ke baare mein Oose yaqeen hai keh oos ki a'adat ke ayam oos se kam nahin the, oos se kam dino ko apne Ha'ez ke ayam qaraar de. Isi tarah oon ayam se zayadah miqdaar ko bhi Ha'ez qaraar nahin de sakti jin ke baare mein Oose yaqeen hai keh oos ki a'adat ke ayam oos miqdaar se zayadah nahin the.
   Isi tarah ka hukm oos aurat ke liye bhi hai jo naaqis a'dad ki a'adat rakhtee hai y'ani aisi aurat jo har mahine do mein se ek miqdaar mein khoon dekhtee hai jo beharhaal teen dino se zayadah aur das dino se kam hai. Maslan aisi aurat hai jo har mahine ya chhe din khoon dekhtee hai ya saat din to woh Ha'ez ki a'laamat ya apne khaandaan ki b'aaz khawaahteen ki a'adat ke mutaabiq ya das dino se zayadah khoon 'aa jaane ki surat mein kisi a'dad ko ikhteyar karte hu'e chhe din se kam ya saat dino se zayadah ko Ha'ez qaraar nahin de sakti hai.

Ha'ez ke mutafarriq massa'el

490. Mubtad'aah, Muztarbaah, Naaseyeh aur 'aadad ki a'adat rakhne wali auraton ko agar khoon aaye jis mein Ha'ez ki a'laamat hon ya yaqeen ho keh yeh khoon teen din tak aayegaa to

oonhein chaahiye keh ‘iba’daat tark kar de aur agr b’ad mein oonhein pataa chale keh Ha’ez thaa to oonhein chaahi’ keh jo ‘iba’daat bajaa naa laayee hon oon ki qazaa kare.

491. Jo aurat Ha’ez ki a‘adat rakhtee ho khawaah yeh a‘adat Ha’ez ke vaqt ke a’itbaar se ho ya Ha’ez ke a‘dad ke a’itbaar se ya vaqt aur a‘dad dono ke a’itbaar se ho. Agar Oose yake b’ad digare do mahino mein apni a‘adat ke barkheelaaf khoon aaye jis ka vaqt ya dino ki t’adaad ya vaqt aur din dono ki t’adaad yaksaan ho to oos ki a‘adat jis tarh in do mahino mein Oose khoon aya hai oos mein tabdeel ho jaati hai. Maslan agar pahle Oose mahine ki pahlee taarikh se 7th taarikh tak khoon ataa thaa aur phir boond ho jaataa thaa magar do mahino mein Oose 10th taarikh se 17th taarikh tak khoon aya ho aur phir boond huaa ho to oos ki a‘adat 10th taarikh se 17th taarikh tak ho jaayegee.

492. A‘adat vaqtiyah ka t’aaeen karne ke a’lawa umoor mein ek mahine se muraad khoon ke shuroo’ hone se teen din tak hai. Mahine ki pahlee se mahine ke ‘aakhir tak nahin hai jabkeh vaqt ki a‘adat ko mo’yyin karne ke liye sirf qamree mahinah hai, shamsee nahin.

493. Agar kisi aurat ko a‘muman mahine mein ek martabah khoon ataa ho Laikin kisi ek mahine mein do martabah ‘aa jaaye to agar oon darmiyani dino ki t’adaad jin mein Oose khoon nahin aya das se kam naa ho to Oose chaahiye keh dono khoon ko Ha’ez qaraar de. Chaahe in mein se kisi ek mein Ha’ez ki a’laamat maujood naa hon.

494. Jis aurat ki zimmedaari yeh ho keh woh Ha’ez ki a’laamat ke zari’e Ha’ez ka t’aeen kare agar oos aurat ko teen ya oos se zayadah dino tak aisaa khoon aaye jis mein Ha’ez ki a’laamat hon aur oos ke b’ad das ya oos se zayadah dino tak aisaa khoon aaye jis mein Istehaazah ki a’laamat hon aur phir oos ke b’ad dobaarah teen din tak Ha’ez ki a’aamaaton le saath khoon aaye to Oose chaahiye keh pahle aur aakharee khoon ko jis mein Ha’ez ki a’laamat ho Ha’ez qaraar de. Laikin agar oon do mein se ek khoon a‘adat ke ayam mein aaye aur yeh m’aloom naa ho keh darmiyan ke das din sab ke sab Istehaazah ke hain ya kuchh ayam Ha’ez ke bhi hain to a‘adat ke ayam walaa khoon Ha’ez aur baaqee sab khoon Istehaazah maanaa jaayegaa.

495. Agar kisi aurat ka khoon das din se pahle ruk jaa’ aur Oose yaqeen ho keh oos ke baatin mein khoon Ha’ez nahin hai to Oose chaahiye keh apni ‘aba’daat ke liye ghusl kare agar che goomaan rakhtee ho keh das din poore hone se pahle dobaarah khoon ’aa jaayegaa. Laikin agar oos yaqeen ho keh das din poore hone se pahle Oose dobaarah khoon ‘aa jaayegaa to jaise bayan ho chuka hai Oose chaahiye keh Ehteyaat oon ghusl kare aur apni ‘aba’daat bajaa laaye aur jo cheezein haa’ez par haraam hain oonhein tark kare.

496. Agar kisi aurat ka khoon das din guzarne se pahle boond ho jaaye aur is baat ka ihtemaal ho keh oos ke baatin mein khoon Ha’ez hai to zaruri hai keh ya Ehteyaat karte hu’e ‘aba’daton ko anjaam d ya istebraa’ kare aur istebraa’ kiye baghair ‘aba’daat ko tark karna jaayez nahin hai. Istebraa’ yeh hai keh apni sharamgaah mein kuchh deir ru’ee rakh kar intezaar kare. Han! Agar iski a‘adat aisi hai keh Ha’ez ke dauraan bhi oos ka khoon kuchh deir ke liye ruk jaataa hai, jaisaa keh b’aaz auraton ke baare mein aisaa kahaa jaataa hai to zaruri hai keh oos miqdaar se zayadah deir tak intezaar kare oos ke b’aad nikal le. Pas agar khoon khatam ho gaya ho to ghusl kare aur ‘aba’daat bajaa laaye aur agar khoon boond naa huaa ho ya thoraa saa zard paani lagaa ho. Pas agar woh Ha’ez ki mo’yyin a‘adat naa rakhtee ho ya ooski a‘adat das din ki ho ya abhi oos ke a‘adat ke din tamaam naa hu’e hon to Oose chaahiye intezaar kare aur agar das din se pahle khoon khatam ho jaaye to ghusl kare aur agar daswein din ke khaatme par khoon ‘aanaa boond ho ya das din ke b’ad bhi khoon ataa rahe to daswein din ke ikhtetaam par ghusl kare aur agar ooski a‘adat das dino se kam ho aur woh jaanti ho keh das din kahtam hone se pahle ya daswein din ke khaatme par khoon band ho jaayegaa woh ghusl nahin kar sakti.

497. Agar koi aurat chand din ko Ha'ez qaraar de aur 'aba'dat naa kare Laikin b'ad mein Oose pataa chale keh Ha'ez nahin thaa to Oose chaahiye keh jo namaaze aur roze woh in dino mein bajaa nahin laayee oonki qazaa kare aur agar chand din is khayal se 'aba'daat bajaa laatee rahee keh Ha'ez nahin hai aur b'ad mein Oose pataa chale keh Ha'ez thaa to agar in dino mein oosne roze bhi rakhe hon to oonki qazaa karna zaruri hai.

Nafaas

498. Bachche ka pahlaa jooz maan ke peit se baahar aane ke vaqt se das din tak jo khoon aurat ko aaye woh khoon nafaas hai aur nafaas ki haalat mein aurat ko nafaasa' kahte hain.
499. Jo khoon aurat ko bachche ke jooz baahar aane se pahle aaye woh nafaas nahin hai.
500. Yeh zaruri nahin hai keh bahchce ki khilqat mukammal ho balkeh agar ooski khilqat naamukammal ho Laikin 'alqataa –y'ani khoon ka lothhraa ya mazghataa –y'ani gost ka tukraahone ki haalat se guzar chooeeka ho aur phir gir jaaye to bhi jo khoon das din tak aaye khoon nafaas hai.
501. Yeh ho saktaa hai keh khoon nafaas ek lehzeh se zayadah naa aaye Laikin das dino ke b'ad aane waale khoon ko nafaas nahin kahte.
502. Agar kisi aurat ko shak ho keh isqaat huaa hai ya nahin ya jo isqaat huaa woh bachhaa thaa ya nahin to is ke liye tahqeeq karna zaruri nahin aur jo khoon Oose aa'e woh shar'an nafaas nahin hai.
503. Jo kuchh ha'ez par waajib hai woh nafsaa' par bhi waajib hai aur Ehteyaat-e-waajib ki bina par massjid mein thhernaa ya massjid mein daakhil honaa jabkeh 'aoor naa karna ho ya massjid ul haraam aur massjid nabwee mein daakhil honaa chaahe 'aboor karne ke liye ho ya Qur'aan ki waajib sajde wali ayat ki tilaawat karna aur Qur'aan ke alfaaz ya Khudaa ke naam se badan ka koi hissah mass karna nafsaa' par haraam hai.
504. Jo aurat nafaas ki haalat mein ho Oose talaaq denaa aur oos se jam'a karna haraam hai Laikin oos par koi kaffaarah nahin.
505. Jo aurat a'dad ki a'adat naa rakhtee ho agar Oose das din se zayadah khoon naa aa'e to saaraa ka saaraa nafaas hai, lehaazah agar woh das din se pahle paak ho jaaye to Oose chaahiye keh ghusl kare aur apni 'aba'daat bajaa laaye aur agar b'ad mein ek ya ek baar se zayadah khoon aa'e to khoon Aane waale dino ko paak rahne waale dino se milaa kar agar das din ya das din se kam ho to saare ka saaraa khoon nafaas hai. Aur zaruri hai keh darmiyan mein paak rahne ke dino mein Ehteyaat karte hu'e jo kam paak aurat par waajib hain anjaam de aur jo kam nafsaa' par haraam hain oonhein tarak kare lehaazah agar oon dino mein koi rozaa rakhaa ho to zarurihai keh oos ki qazaa kare. Agar b'ad mein aaane walaa khoon das din se tajaawiz kar jaaye to khoon ki woh miqdaar jo das din ke andar aa'ee hai Oose nafaas aur das din ke b'ad aaane waale khoon ko istehaazah qaraar de.
506. Jo aurat a'dad ki a'adat rakhtee hai agar Oose apni a'adat se zayadah khoon aa'e to chaahiye yeh khoon das din se tajaawiz naa kare, Ehteyaat-e-waajib ki bina par zaruri hai keh a'adat ka a'dad pooraa ho jaane ke b'ad nafsaa' le mahurmaat ko tark kar de aur mustehaazah ke waajebaat par a'amal pairaa ho aur agar ek se zayadah baar khoon aa'e jabkeh darmiyan mein paak bhi ho jaaye to a'adat ke a'dad ke baraabar ayam ko nafaas aur darmiyan ke paaki ke ayam aur a'adat ke b'ad ke khoon waale ayam mein Ehteyaat karte hu'e nafsaa', par haraam amoor ko tark kar de aur mustehaazah ke waajebaat par a'amal kare.
507. Agar aurat khoon nafaas se paak ho jaaye aur ihtemaal ho keh oos ke baatin mein khoon nafaas hai to zaruri hai keh ya Ehteyaat karte hu'e bajaa laaye aur 'aba'daat ko anjaam de ya istebraa' kare. Baghair istebraa' kiye a'ba'daat ko tark karna jaayez nahin hai. Istebraa' ka

tareeqaah mass'ale 496 mein bayan ho chuka hai aur agar apni a'adat bhool chooki ho to zaruri hai keh sab se zayadah jis a'dad ka ihtemaal ho Oose apni a'adat farz kare.
508. Agar aurat ko nafaas ka khoon das din se zayadah aa'e aur woh Ha'ez mein a'dad ki a'adat rakhtee ho to a'adat ke baraabar dino ki muddat nafaas aur baaqee ihtehaazah hai. Agar a'adat naa rakhtee ho to das din tak nafaas aur baaqee istehaazah hai. Ehteyaat moostehab yeh hai keh jo aurat a'adat rakhtee ho woh ;aadat ke b'ad ke din se aur jo aurat a'adat naa rakhtee ho woh 10th din ke b'ad se bachche ki paidaaish ke 18th din tak istehaazah ke af'aal bajaa laaye aur woh kam jo nafsaa' par haraam hain oonhein tark kare.
509. Jo aurat Ha'ez mein a'dad ki a'adat rakhtee ho agar Oose bachcha janne ke b'ad ek mahine tak ya ek mahine se zayadah muddat tak khoon ataa hai to oos ki a'adat ke dino ki t'adaad ke baraabar khoon nafaas hai aur jo khoon, nafaas ke b'ad das din tak aaye aur woh vaqt ki a'adat bhi rakhtee ho aur woh khoon oos ki maahaanah a'adat ke dino mein aya ho, istehaazah hai. Maslan aisi aurat jis ke Ha'ez ki a'adat har mahine ki 20 taarikh se 27 taarikh tak ho agar woh mahine ki 10 taarikh ko bachchaa janne aur ek mahine ya is se zayadah muddat tak Oose mutawattar khoon aaye to 17^{th} taarikh tak nafaas aur 17^{th} taarikh se das din tak ka khoon hatta keh woh khoon bhi jo 20 taarikh se 27 taarikh tak oos ki a'adat rakhtee ho aur khoon oos ki a'adat ke dino mein naa aya ho to oos ke liye zaruri hai keh apni a'adat ke dino ka intezaar kare agar che oos ke intezaar ki muddat ek mahinah ya ek mahine se zayadah ho jaaye aur khawaah oos muddat mein jo khoon aaye oos mein Ha'ez ki a'laamat ke zari'e ma'een kare jis ka tareeqaah mass'el 479 mein bayan kiya jaa chuka hai aur agar mumkin naa ho jaisaa keh nafaas ke b'ad das din jo khoon aaye woh saaraa ek jaisaa ho aur ek mahine ya chan mahine oonhee a'laamat ke saath ataa rahe to zaruri hai keh har mahine mein apne koonbe ki b'az auraton ke Ha'ez ki jo aurat ho massa'el 479 mein bayan shudaah tafseel ke mutaabiq wohee apne liye qaraar de aur agar yeh mumkin naa ho to jo a'dad apne liye manaasib samajhtee hai ikhteyar kare jis ki tafseel massa'el 481 mein bayan ki gayee hai.
510. Jo aurat Ha'ez mein ba'dad ke lehaaz se a'adat naa rakhtee ho agar Oose bachchah janne ke b'ad ek mahine tak ya ek mahine se zayadah muddat tak khoon aa'e to oos ke pahle das din nafaas aur agle das din istehaazah ke honge aur jo khoon Oose is ke b'ad aa'e mumkin hai woh Ha'ez ho aur mumkin hai istehaazah ho aur Ha'ez qaraar den eke liye zaruri hai keh oos hukm ke mutabiq a'amal kare jis ka zikr saabqah massa'el mein guzar chuka hai.

Ghusl Mass Mayyat

511. Agar koi shakhs kisi aise murdah insaan ke badan ko mask are jo thandaa ho chuka ho aur jise ghusl naa diya gaya ho y'anee apne badan ka koi hissah oos se lagaa'e to zaruri hai keh ghusl mass mayyat kare khawaah oos ne neend ki haalat mein murde ka badan mass kiya ho ya bedaaree ke 'aalam mein aur khawaah araadee taur par mass kiya ho ya gair araadee taur par, hatta keh agar oos ka naakhoon ya haddee murde ke naakhoon ya haddi se mass ho jaaye tab bhi ghusl karna zaruri hai Laikin agar murdah haiwaan ko mass kare to oos par ghusl waajib nahin hai.
512. Jis murde ka tamaam badan thandaa huaa ho Oose mass karne se ghusl waajib nahin hota khawaah oos ke badan ka jo hissah mass kiya ho woh thandaa ho chuka ho.
513. Agar koi shakhs apne baal murde ke badan se lagaa'e ya apnaa badan murde ke baalon se lagaye ya apne baal murde ke baalon se lagaa'e to oos par ghusl waajib nahin hai.

514. Agar bachchaa paidaa ho to Ehteyaat-e-waajib ki bina par zaruri hai keh oos ki maa ghusl kare aur agar maa mar gayee ho to bachche ke liye zaruri hai baaligh hone se pahle Ehteyaat-e-waajib ki bina par ghusl kare.
515. Agar koi shakhs ek aisi mayyat ko mass kare jise teen ghusl mukammal taur par di'e jaa chuke hon to oos par ghusl waajib nahin hota Laikin agar woh teesra ghusl mukammal hone ke pahle oos ke badan ke kisi hisse ko mask are to zaruri hai keh ghusl massse mayyat kare, chaahe oos hisse ka ghusl mukammal ho chuka hoto khawaah oos hisse ko teesraa ghusl diya jaa chuka ho oos shakhs ke liye ghusl mass mayyat karna zaruri hai.
516. Agar koi diwaanaa ya naabaligh bachchaa mayyat ko mass kare to diwaane par 'aqil hone aur bachche par baaligh hone ke b'ad ghusl mass mayyat karna zaruri hai aur agar woh ho to ooska ghusl sahi hai.
517. Agar kisi zindaah shakhs ke badan se ya kisi aise murde ke badan se jise ghusl naa ditaa gaya ho ek hissah judaa ho jaaye aur is se pahle keh judaa hone waale hisse ko ghusl diya jaaye koi shakhs Oose mass kar le to agar che oos hisse mein haddi ho ghusl masse mayyat karna zaruri hai. Han! Agar mayyat tukre tukre ho chuki ho aur koi shakhs in tamaam ya zayadah tar hisson ko mask are to oos par ghusl waajib hai.
518. Ek aisi haddi se mass karne se jise ghusl naa diya gaya ho khawaah woh murde ke badan se judaa hu'ee ho ya zaindah shakhs ke badan se, ghusl waajib nahin hai. Aur daant khawaah woh murde ke badan se judaa hu;e hon ya zindah shakhs ke badan se oon ke liye bhi yahi hukm hai.
519. Ghusl masse mayyat, ghusl janaabat ki tarah hai aur is ke b'ad wazu ki zarurat bhi nahin.
520. Agar koi shakhs kayee mayyaton ko mask are ya ek ko kayee baar mask are to ek ghusl kafee hai.
521. Jis shakhs ne mayyat ko mass karne ke b'ad ghusl naa kiya ho oos ke liye massjid mein thaharnaa, biwi se jama' karna aur in ayat ka padhnaa jin mein sajdah waajib hai, mamnu' nahin hai Laikin namaaz aur oos jaisi 'aba'daat ke liye ghusl karna zaruri hai.

Muhtazur ke Ehkaam

522. Jo musalmaan muhtazur ho y'aani jaan koonee ki haalat mein ho khawaah mard ho ya aurat, badhaa ho ya chhotraa, Oose Ehteyaat ki bina par basurat imkan pusht ke bal yoon letaanaa chaahiye keh ooske paaon ke talwe Qiblaa rukh hon.
523. Behtar hai keh jab tak mayyat ka ghusl mukkamal naa ho Oose bhi mazkuraah tariqe ke mutaabiq rubaaqiblaah letaaein Laikin jab ooska ghusl mukkamal ho jaaye to behtar hai keh Oose oos haalat mein letaain jis tarah Oose namaaz janaazah padhte vaqt letate hain.
524. Jo shakhs jaankoonee ki haalat mein ho Oose rubaaqiblaah letaanaa Ehteyaat ki bina par musalmaano par waajib hai. Lehaazah woh shakhs jo jaankoonee ki haalat mein hai raazee ho aur qaasar bhi naa ho (y'aani baaligh aur 'aaqil ho) to oos kam ke liye oos ke wali ki ijaazat lenaa zaruri nahin hai. Iske a'lawaki surat mein oos ke wali se ijaazat lenaa Ehteyaat ki bina par zaruri hai.
525. Mustahab hai keh jo shakhs jaankoonee ki haalat ho oos ke saamne shahaadatain, baarah Imam ke naam aur dusre deenee 'aqaaid is tarah dohraayen jaayen keh woh samajh le. Oos ki maut ke vaqt tak in cheezon ki takraar karna bhi mustahab hai.
526. Mustahab hai keh jo shakhs jaankoonee ki haalat mein ho Oose mandarjaah zeil Du'a is tarah se sunaaye jaaye keh samajh le :
" Allahummagh fir leyal kasara mim m'asika waq bal minni yal yasara min ta'teka ya may yakbalul yasara wa y'afu a'nil kasariq bal minniyal yasara w'afu a'niyal kasara innaka antal a'fuw wul ghafuru. Allahummur hamni fainnaka rahim".

527. Jis shakhs ki jaan sakhti se nikal rahee ho, agar Oose takleef naa ho to Oose oos jagah le janaa jahan woh namaaz padhtaa thaa mustahab hai.
528. Jo shakhs jaankooni ke ‘alaam mein ho oos ki ‘aasaani ke liye (y’aani is maqsad se keh oos ki jaan ‘asaani se nikal jaaye) ooske sarhaane Surah Y’aseen, Surah Saafaat, Surah Ehzaab, ayatulkursi, Surah A’iraafki ay 54 Surah Baqrah ki ‘Akhiri teen ayat padhnaa mustahab hai balkeh Qur’aan Majeedjitnaa bhi padhaa jaa sake padhaa jaaye.
529. Jo shakhs jaankooni ke ‘aalam mein ho Oose tanhaa chhodhnaa, koi bhaari cheez ooske peit par rakhnaa, joonub aur haa’iz ka ooske qareeb honaa, isi tarah oos ke paas zayadah baatein karnam ronaa aur sirf auraton ko chhornaa maqrooh hai.

Marne Ke b’ad ke Ehkaam

530. Mustahab hai keh marne ke b’aad mayyat ki aankhein aur hont boond kar di’e jaayen, oos ki thodhi ko baand diya jaaye, oos ke haath aur paaon seede kar diye jaayen aur oos ke uupar kapdhaa daal diya jaaye. Agar maut raat ko waa’qe ho to jahaan maut waaq’e hue ho waahan chiraagh jalaayen (roshni kar dein) aur janaaze mein shirkat ke liye maumeneen ko itlaa’ dein aur mayyat ko daf’an karne mein jaldi karein Laikin agar oos shakhs ke marne ka yaqeen naa ho to intezaar karein taakeh surat haal waazeh ho jaaye. a’lawAgar mayyat haamlah ho aur bachchaa oos ke pait mein zindaa ho to zaruree hai keh daf’an karne mein itnaa tawaqqaf karein keh pahlu chaak kar ke bachchaa baahar nikal lein aur phir pahloo ko see dein.

Ghusl, kafan, namaaz mayyat aur daf’an ka wujub

531. Musalmaan ka ghusl, hoonut, kafan, namaaz mayyat aur daf’an khawaah woh Ishnaa Ashari Shi’a naa bhi ho oos ke wali par waajib hai. Zaruri hai keh wali khud in kamon ko anjaam de ya kisi dusre ko in kamon ke liye mo’een kare aur agar koi shakhs in kamon ko wali ki ijaazat se anjaam de to wali par se wajub saaqet ho jaataa hai balkeh agar daf’an ya is ke manid dusre umoor ko koi shakhs wali ki ijaazat ke baghair anjaam de tab bhi wali se wujoob saaqet ho jaataa hai umoor ko dobaara anjaa dene ki zaroorat nahin aur agar mayyat ka koi wali naa ho ya wali in kamon ko anjaam dene se man’a kare tab bhi baaqi mukkalif logon par waajib kafaa’ee hai keh mayyat ke in kamon ko anjaam dein aur agar baa’z mukkalif logon ne anjaam diya to dasron par se wujoob saaqet ho jaataa hai. Chunaanche agar koi bhi anjaam naa de to tamaam mukkalif log goonaah gaar honge aur wali ke man’a karne ki surat mein is se ijaazat lene ki shart khatam ho jaati hai.
532. Agar koi shakhs tajheez wa takfeen ke kamon mein masshghool ho jaaye to dasron ke liye is baare mein koi aqdaam karna waajib nahin laikin agar woh in kamon ko adhooraa chhor de to zaruri hai keh dusre inhein paa’eah takmeel tak pohoonchaa’en.
533. Agar kisi shakhs ko itminaan ho keh koi dusra mayyat ke kamon mein masshghool hai to oos par waajib nahin hai keh mayyat ke kamon ke baare mein aqdaam kare. Laikin agar Oose is baare mein mahaz shak ya gumaan ho to zaruri hai keh aqdaam kare.
534. Agar kisi shakhs ko m’aloom ho keh mayyat ka ghusl ya kafan ya namaaz ya daf’an ghalat tareeqe se huaa hai to zaruri hai keh in kamon ko dobaarah anjaam de Laikin agar Oose baatil hone ka gumaan ho ya shak ho keh durust thaa ya nahin to phir is baare koi aqdaam karna zaruri nahin.
535. Aurat ka wali oos ka shauhar hai aur aurat ke a’lawa woh ashkhaas keh jin ko mayyat se miraas meeltee hao Oosi tarteeb se jis ka zikr meeraas ke mukhtalif tabqon mein aa’egaa doorson par amqdam hain. Mayyat ka baap mayyat ke bete par, mayyat ka daadaa oos ke bhayee par, mayyat ka pidar wa maadri bhayee oos ke sirf padar bhayee ya maadri bhayee par, oos ka

pidaree bha'ee oos ke maadri bhayee par aur oos ke chochaa ke oos ke maamon par maqqadam hone mein ishkal hai. Chunancheh is silsile mein Ehteyaat ke tamaam taqaazon ko peshe nazar rakhnaa zaruri hai. Han! Agar wali ek se zayadah hon to is mein kisi ek ki ijaazat kafee hai.
536. Nabaaligh bachchah aur deewaanah mayyat ke kamon ko anjaam dene k liye wali nahin ban sakte. Isi tarah woh shakhs bhi jo is tarah ghair haazir ho keh khud ya kisi ko maamoor kar ke mayyat se mut'aliq umoor ko anjaam nah de saktaa ho to woh bhi wali nahin ban saktaa.
537. Agar koi shakhs kahe keh main mayyat ka wali hoon ya mayyat ke wali ne mujhe ijaazat dee hai keh mayyat ke ghusl, kafan aur daf'an ko anjaam doon ya kahe keh main mayyat ke daf'an se mut'aaliq kamon mein mayyat ka wasee hoon aur oos ke kahne se itmeenaan haasil ho j'aae ya mayyat oos ke tassaruf mein ho ya do 'aadil shakhs gawaahee dein to oos ka qaul qabool kar lenaa zaruri hai.
538. Agar marne walaa apne ghusl, kafan, daf'an aur namaaz ke liye apne wali ke a'lawakisi aur ko muqarrar kare to oon umoor ki wilayat Oosi shakhs ke haath mein hai aur yeh zaruri nahin keh jis shakhs ko mayyat ne waseeyat ki ho, woh khud in kamon ko anjaam dene ka zimmedaar bane aur is wasiyat ko qabool kare Laikin agar qabool kar le to zaruri hai keh oos par ghusl kare.

Ghusl Mayyat ki kaifeeyat

539. Mayyat ko tarteeb se teen ghusl dene waajib hain. Pahlaa aisaa paani se jis mein beree ke patte mile hu'e hon, dusra aise paani se jis mein kafoor milaa ho aur teesraa khaalis paani se.
540. Zaruri hai keh beree aur kafoor naa is qadar zayadah hon keh paani muzaaf ho jaaye aur naa is qadar kam honk eh yah kahaa jaa sake keh beree aur kafoor is paani mein nahin milaaye gaye hain.
541. Agar beree aur kafoor itnee miqdaar mein naa mil saken jitnee keh zaruri hai to Ehteyaat-e-mustahab ki bina par jitnee miqdaar ma'eer aa'e paani mein daal dee jaaye.
542. Agar koi shakhs ehraam ki haalat mein mar jaaye to Oose kafoor ke paani se ghusl nahin denaa chaahiye balkeh oos ke bajaaye khaalis paani se ghusl denaa chaahiye Laikin agar woh Haj Tamatt'a ka ehraam ho aur woh tawwaaf, namaaze tawwaaf aur sa'ee ko mukkamal kar chuka ho ya Haj Quran ya afraad ke ehraam mein ho aur sar moondaa chuka ho to is do suraton mein oos ko kafoor ke paani se ghusl denaa zaruri hai.
543. Agar beree aur kafoor ya in mein se koi ek naa mil sake ya is ka iste'maal jaayez naa ho maslan yeh keh ghasbee ho to Ehteyaat ki bina par zaruri hai keh Oose ek tayyamum karaya jaaye aur in mein se har oos cheez ke bajaaye jis ka milnaa mumkin naa ho mayyat ko khaalis paani se ghusl diya jaaye.
544. Jo shakhs mayyat ko ghusl de zaruri hai keh woh aqal mand aur musalmaan ho aur Ehteyaat ki bina par zaroori hai keh woh Isnaa Asharee ho. Zaruri hai keh ghusl ke massa'el se bhi waaqif ho. Bachchaa agar ghusl ko sahee tareeqe se anjaam de saktaa ho to oos ka ghusl denaa bhi kafee hai. Chunaanche agar gair Isna Asharee musalmaan ki mayyat ko oos ka hum mazheb apne mazheb ke mutaabiq ghusl de to momin Isna Asharee se zimmedaari saaqit ho jaati hai. Laikin agar woh Isna A'sharee shakhs mayyat ka wali ho to is surat mein oos se zimmedaari saaqit nahin hotee.
545. Jo shakhs ghusl de zaruri hai keh woh qurbat ki niyyat rakhtaa ho aur yeh kafee hai keh Allah Taa'laa ke hukm ki bajaa'awaree ki niyyat se ghusl de.
546. Musalmaan ke bachche ko khawaah walid uz zinaa hee kioon naa ho ghusl denaa waajib hai aur kafir aur oos ki aulaad ka ghusl, kafan aur daf'an waajib nahin hai. Kafir ka bachchaa agar mamayyaz ho aur Islaam ka izhaar kartaa ho to woh musalmaan hai aur jo shakhs bachpan

se deewaanaa ho aur diwaangee ki haalat mein hee baaligh ho jaaye agar oos ka baap ya maa musalmaan ho to zaruri hai keh Oose ghusl dein.
547. Agar ek bachchaa chaar mahine ya oos se zayadah ka ho kar saaqet ho ka'e to Oose ghusl denaa zaruri hai balkeh agar chaar mahine se bhi kam ho Laikin oos ka pooraa badan ban chuka ho to Ehteyaat ki bina par kapde mein lapaitkar baighair ghusl di'e daf'an kar denaa chaahiye.
548. Mard, na mahram aurat ko ghusl nahin de saktaa isi tarah aurat, naa mahram mard ko ghusl nahin de sakti. Laikin biwi apne shauhar ko ghusl de sakti hai aur shauhar bhi apni biwi ko ghusl de saktaa hai.
549. Mard itnee chhotee ladki ko ghusl de saktaa hai jo mamayyaz naa ho aur aurat bhi itne chhote larke ko ghusl de saktaa hai jo mamayyaz naa ho.
550. Mahram afraad ek dusre ko ghusl de sakte hain, chaahe nasbee mahram hon jaise maa aur bahen ya razaa'ee y'ani doodh peene ki wajah se ek dusre ke mahram ban gaye hon. Sharamgaah ke a'lawabaaqee badan mein lebaas ke nichche se ghusl denaa zaruri nahin hai agarche behtar hai. Laikin Ehteyaat-e-waajib ki bina par zaruri hai keh mard apni mahram aurat ko sirf Oosi surat mein ghusl de jab ghusl den eke liye koi aurat naa mil sake. Yahee hukm aurat ke liye mahram mard ko ghusl dene ke baare mein hai.
551. Agar mayyat aur ghassaalah dono mard hon ya dono aurat hon to jayez hai ke sharamghah ke a'aawoh mayyat ka baaqee badan barhenaa ho Laikin behtar yeh hai keh lebaas ke niche se ghusl diya jaaye.
552. Miyan biwi ke a'lawa mayyat ke sharamgaah par nazar daalnaa haraam hai aur jo shakhs Oose ghusl de rahaa ho agar woh oos par nazar daale to goonaahgaar hai Laikin is se ghusl baatil nahin hota.
553. Agar mayyat ke badan ke kisi hisse par a'in najaasat ho to zaruri hai keh oos hisse ko ghusl dene se pshle a'in najaasat door kare aur awwal yeh hai keh ghusl shor'oo karne se pahle mayyat ka tamaam badan paak kar liya jaaye.
554. Ghusl mayyat ghusl janaabat ki tarah hai aur Ehteyaat-e-waajib yeh hai keh jab mayyat ko ghusl tarteebee denaa mumkin ho ghusl irtenaasee naa diya jaaye aur ghusl tarteebee ein bhi zaruri hai keh dahenee taraf ko baa'en taraf se pahle dhoya jaaye.
555. Jo shakhs Ha'ez ya jaanabat ki haalat mein mar jaaye Oose ghusl Ha'ez ya ghusl janaabat denaa zaruree nahin hai balkeh sirf ghusl mayyat oos ke liye kafee hai.
556. Mayyat ko ghusl dene ki ujrat lenaa Ehteyaat ki bina par haraam hai aur agar koi shakhs ujrat lene ke liye mayyat ko is tarah ghusl de keh yeh ghusl denaa qasad qurbat ke moonaafee ho to ghusl baatil hai. Alikin ghusl ke ibtedaa'ee kamon ki ujrat lenaa haraam nahin hai.
557. Mayyat ke ghusl mein jabeerah ghusl jaayez nahin hai aur agar paani mayyasar naa ho ya oos ke iste'maal mein koi rukawat ho to zaroorat hai ke ghusl ke badle mayyat ko ek tayyamum karaa'e aur Ehteyaat-e-mustahab yeh hai keh teen tayyamum karaa'e jaayen.
558. Jo shakhs mayyat ko tayyamum karaa rahaa ho Oose chaahiye keh apne haath zameen par maare aur mayyat ke chehre aur haaton ki pusht par phere aur Ehteyaat-e-mustahab yeh hai keh agar mumkin ho to mayyat ko oos ke apne haaton se bhi tayyamum karaa'e.

Kafan ke Ehkaam

559. Musalmaan mayyat ko teen kapdon ka kafan denaa zaruri hai jinhein lug, kurtaa aur chaadar kahaa jaataa hai.
560. Ehteyaat-e-waajib ki bina par zaruri hai ke loong aisi h jo naaf se ghutno tak badan ke aitraaf ko dhaanp le aur behtar yeh hai keh seene se paa'on tak pohoonche aur kurtaa Ehteyaat-e-

waajib ki bina par aisaa ho keh kandhon ke saron se aa'dhee pindleeon tak tamaam badan ko dhaanpe aur behtar yeh hai keh paa'on tak pohoonche aur chaadar ki lambaa'ee itnee honee chaahiyekeh poore badan ko dhaanp de aur Ehteyaat-e-waajib yeh hai keh chaadar ki lambaa'ee itnee ho keh mayyat ke paa'on aur sar ki taraf se giroh de saken aur is ki chauraa'ee itnee ho keh is ka ek kinaaraa dusre kinaare ke uupar aa'a sake.

561. Waajib miqdaar ki had tak kafan jis ka zikr saabqaa masa'el mein ho chuka hai mayyat ke asal maal se liya jaayegaa balkeh kafan ki mustahab miqdaar ko bhi mayyat ki shaan aur 'araf 'aam ko peshe nazar rakhte hu'e mayyat ke asal maal se liya jaa saktaa hai. Agar che Ehteyaat-e-mustahab yeh hai keh waajib miqdaar se zaa'ed kafan oos waarason ke hisse se naa liya jaaye jo abhi baaligh naa hu'e hon.

562. Agar kisi shakhs ne wasiyat ki ho keh mustahab kafan ki miqdaar oos ke ek tehayee maal se lee jaaye ya yeh wasiyat ki ho keh oos ka tehayee maal khud oos par kharch kiya jaaye alikin oos ke moossarraf ka taa'een naa kiya hoya sirf oos ke kuchh hiss eke moosarraf ka taa'een kiya ho to mustahab kafan ki miqdaar jo chaahe 'araf 'aam se barh kar ho oos ke tehayee maal se lee jaa sakti hai.

563. Agar marne waale ne yeh wasiyat naa ki ho keh kafan oos ke tehayee maal se liya jaaye aur muta'lqaah ashkhaas chaahein keh oos ke asal maal se lein to jo bayan mass'ale 561 mein guzar chuka hai oos se zayadah naa lein. Maslan woh mustahab kam jo keh m'amoolan anjaam naa di'e jaate hon aur jo mayyat ki shaan ke mutaabiq bhi naa hon to oon ki adaa'edee ke liye hargiz asal maal se naa lein aur bilkul isi tarah kafan ki qimat m'amoomal se zayadah ho to azaafee raqam ko mayyat ke asal maal se nahin liya jaa saktaa Laikin jo warsaa' baaligh hain to oon ke hisse se oon ki ijaazat se liya jaa saktaa hai.

564. Aurat ke kefan ki zimmedaari shauhar par hai khawaah aurat apnaa maal bhi rakhtee ho. Isi tarah aurat ko agar is tafseel ke mutaabiq jo talaaq ke Ehkaam mein aayegee talaaq raj'ee dee gayee ho aur woh 'eddat khatam hone se pahle mar jaaye to shauhar ke liye zaruri hai keh Oose kafan de. Agar shauhar baaligh naa ho ya deewaana ho to shauhar ke wali ko chaahiye keh oos ke maal se aurat ko kafan de.

565. Mayyat ko kafan denaa oos ke qaraabardaaron par waajib nahin, go oos ki zindagee mein akhraajaat ki kaffaliat oon par waajib rahee ho.

566. Agar mayyat ke paas kafan ka intezaam karne ke liye koi maal naa ho to Oose barhainaa daf'an karna jayez nahin hai balkeh binabar Ehteyaat musalmaanon par waajib hai keh Oose kafan pehnaa'ein. Yeh jaayez hai keh oos ke akhraajaat ko zakat ki baabat mein hisaab kar liya jaaye.

567. Ehteyaat yeh hai keh kafan ke teenon kapdon mein se har kapdhaa itnaa baareek naa ho keh mayyat ka badan oos ke niche se nazar aaye Laikin agar is tarah ho keh teenon kapdon ko milaakar mayyat ka badan oos ke niche se nazar naa aaye to kafee hai.

568. Ghasab ki hu'ee cheez ka kafan denaa khawaah ko'ee dusri cheez ma'esar naa ho tab bhi jaayez nahin hai. Pas agar mayyat ka kafan ghasbee ho aur oos ka maalik raazee naa ho to woh kafan oos ke badan se itnaa lenaa chaahiye khawaah oos ko daf'an bhi kiya jaa chuka ho Laikin baa'z suraton mein (ooske badan se kafan utaarnaa jaayez nahin) jis ki tafseel ki gujaayesh oos maqaam par nahin hai.

569. Mayyat ko najis cheez ya khaalish reshmee kapde ka kafan denaa aur Ehteyaat ki bina par sone ke paani se kam kiye hu'e kapde ka kafan denaa jaayez nahin Laikin majbooree ki haalat mein koi harj nahin hai.

570. Mayyat ko najis murdaar ki khaal ka kafan denaa ikhteyaree haalat mein jaayez nahin hai balkeh paak murdaar ki khaal ka kafan denaa bhi jaaye nahin hai aur Ehteyaat-e-waajib ki bina

par kisi aise kapde ka kafan denaa jo haraam ghosat jaanwar ke oon ya baalon se tayyar kiya gaya ho ikhteyaree haalat mein jaayez nahin hai Laikin agar kafan halaal ghosat jaanwar ke baal ya oon ka ho to koi harj nahin. Agarche Ehteyaat-e-mustahab yeh hai keh in dono cheezon ka bhi kafan naa diya jaaye.
571. Agar mayyat ka kafan ooski apni najaasat ya kisi dusra sat se najis ho jaaye aur agar aisaa karne se kafan zaa'e naa hota ho to jitnaa hissaah najis ho Oose shonaa ya katnaa zaruri hai khaawoh mayyat ko qabar mein hee kioon naa utaaraa jaa vhuka hon. Agar ooska dhonaa ya katnaa mumkin naa ho Laikin badal lenaa mumkin ho to zaruri hai keh badal dein.
572. Agar koi aisaa shakhs mar jaaye jis ne haj ya 'umre ka ehraam baandh rakhaa ho to Oose dasron ki tarah kafan pehnaanaa zaruri hai aur oos ka sar aur chehraa dhaank dene mein koi harj nahin.
573. Insaan ke liye apni zingadi mein kafan, beree aur kafoor tayyar rakhnaa mustahab hai.

Hunoot ke Ehkaam

574. Ghusl dene ke b'aad waajib hai keh mayyat ko hunoot kiya jaaye y'ani ooski peshaani, dono haathelion, dono ghutno aur dono p'aaon ke anguthon par kafur is tarah lagaa'en keh kuchh kafur oos par baaqi rahe chaahe ise maalaya nah bhi gaya ho aur mutshab hai keh mayyat ki naak par bhi kafur malaa jaaye. Zaruri hai keh kafur peesaa huaa, tazaa, paak aur mubaah (ghair ghasbi) ho aur agar puraanaa hone ki wajah se ooski khoosboo zaa'el ho gayee ho to kafi nahin.
575. Ehteyaat-e-mustahab yeh hai keh kafur pahle mayyat ki peshaani par malaa jaaye Laikin dusre maqaamaat par milne mein tarteeb zaruri nahin hai.
576. Behtar yeh hai keh mayyat ko kafan pehnaane se pahle hunoot kiya jaaye. Agar che kafan pehnaane ke dauraan ya is ke baa'd bhi hunoot Karen to koi harj nahin hai.
577. Agar koi aisaa shakhs mar jaaye jis ne Haj ya Umrah ke liye ehraam baandh rakhaa ho to Oose hunoot karna jaayez nahin hai magar in do suraton mein jin ka zikr mass'le 542 mein guzar chuka hai.
578. A'tkaf mein baithhe hu'e shakhs aur aisi aurat jis ka shauhar mar gaya ho aur abhi ooski i'ddat baaqi ho agarche khoosboo lagaanaa in ke liye haraam hai Laikin agar in mein se koi mar jaaye to hunoot karna waajib hai.
579. Ehteyaat-e-mustahab hai keh mayyat ko mushk, ghabar, a'aud aur dusri khoosbooein nah lagaa'ein aur inhein kafur ke saath bhi nah milaya jaaye.
580. Mustahab yeh hai keh sayyad ul shohdaa Imam Hoosain Ala'ih salaam ki qabr mubaarak ki mitti ki kuchh miqdaar kafur mein milaa li jaaye laikin is kafur ko aOose maqaamaat par nahin lagaanaa chaahiye jahan lagaane se khaak shafaa ki behurmati ho aur yeh bhi zaruri hai keh khaak shafaa itni zayadah nah ho keh jab woh kafur ke saath mil jaaye to Oose kafu nah kahaa jaa sake.
581. Agar kafur nah mil sake ya faqat ghusl ke liye kafi ho to hunoot karna zaruri nahin aur agar ghusl ki zarurat se zayadah ho Laikin tamaam saat a'zaa' ke liye kafi nah ho to isteyat mustahab ki bina par chaahiye keh pahle peshaani par aur agar bachch jaaye to dusre maqaamaat par malaa jaaye.
582. Mustahab hai keh do tar wa tazaah tehniaan mayyat ke saath qabr mein rakhi jaaye.

Namaaz Mayyat ke Ehkaam

583. Har musalmaan ki mayyat par aur aise bachche ki mayyat par jo islaam ke hukm mein ho aur poore chhe saat maah ka ho chuka ho namaaz padhnaa waajib hai.

584. Ek aise bachche ki mayyat par jo chhe saat saal ka nah huaa ho Laikin namaaz ki samajh bhujh rakhtaa ho to isteyat waajib ki bina par namaaz padhnaa zaruri hai aur agar namaaz ko nah jaantaa ho to rajaa' ki niyyat se namaaz padhn mein koi harj nahin aur woh bachchaa jo murdah paida huaa ho oos ki mayyat par namaaz padhnaa mustahab nahin hai.
585. Zaruri hai keh mayyat ki namaaz se ghusl dene, hunoot karne aur kafan pehnaane ke baa'd padhi jaaye aur agar in umoor se pahle ya in ke dauraan padhi jaaye to aisaa karna khawoh bhool chuk ya mas'le se laai'lmi ki bina par hi kioon nah ho kafi nahin hai.
586. Jo shakhs mayyat ki namaaz padhnaa chaahe oos ke liye zaruri nahin keh oos ne wazu, ghusl ya tayyamum kiya ho aur ooska badan aur lebaas paak hon aur agar ooska lebaas ghasbi ho tab bhi koi harj nahin. Agarche bahtar yeh hai keh in tamaam cheezon ka lehaaz rakhe jo dusri namaazon mein laazmi hain.
587. Jo shakhs namaaz mayyat padh rahaa ho zaruri hai keh rubaqiblah ho aur yeh bhi waajib hai keh mayyat namaaz padhne waale ke saamne pusht ke bal yoon letaya jaaye keh mayyat ka sar namaaz padhne waale ke daa'ein taraf ho aur paa'on baa'ein taraf hon.
588. Zaruri hai keh namaaz padhne ki jagah mayyat ke muqaam se oonchchi ya neechchinah ho alikin m'amooli pasti ya bulandi mein koi harj nahin aur Ehteyaat-e-mustahab yeh hai keh namaaz mayyat padhne ki jagah ghasbi nah ho.
589. Zaruri hai keh namaaz padhne walaa mayyat se door nah ho Laikin jo shakhs namaaz mayyat ya jam'aat padh rahaa ho agar woh mayyat se door ho jabkeh safein baham mutassil hon to koi harj nahin.
590. Zaruri hai keh namaazpadhne walaa mayyat ke saamne khadhaa ho Laikin jam'aat ki surat mein oon logon ki namaaz mein jo mayyat ke saamne nah hon koi ishkal nahin hai.
591. Zaruri hai keh mayyat aur namaaz padhne waale ke darmiaan pardhah, deewaar ya aisi koi cheez haa'el nah ho Laikin agar mayyat taaboot mein ya kisi aur cheez mein rakhi ho to koi harj nahin.
592. Namaaz padhte vaqt zaruri hai keh mayyat ki sharamghaah dhhaki hu'ee ho aur agar Oose kafan pehnaanaa mumkin nah ho to zaruri hai keh oos ki sharamghah ko khawaah lakdhi ya aisi kisi aur cheez se hi dhhanp dein.
593. Zaruri hai keh namaaz mayyat khadhe ho kar aur qurbat ki nayyat se padhi jaaye aur niyyat karte vaqt mayyat ko ma'een kar liya jaaye maslan niyyat kar li jaaye keh mein is mayyat par " Qurbatan Illallah" namaaz padh rahaa hoon. Aur Ehteyaat-e-waajib ki bina par zaruri hai keh yaumiah namaazon mein haalat qayam mein jo isttaqraar zaruri hai ooska khayal rakhaa jaaye.
594. Agar khade hokar namaaz mayyat padhne walaa koi shakhs nah ho to baith kar namaaz padhi jaa sakti hai.
595. Agar marne waale ne wasiyat ki ho keh koi shakhs oos ki namaaz padha'e to oos ke liye wali se ijaazat lenaa zaruri nahin hai, agar che behtar hai.
596. Baa'z fuqha ke nazdeek mayyat par kayee daf'aa namaaz padhnaa makruh hai. Laikin yeh baat saabit nahin hai agar mayyat kisi saahebe i'lm wa taqwaa ki ho to baghair kisi ishkal ke makruh nahin hai.
597. Agar mayyat ko jaan bhoojh kar ya bhool chook ki wajah se ya kisi 'azar ki bina par baghair namaaz padhe daf'an kar diya jaaye ya daf'an kar den eke b'ad pataa chale keh jo namaaz is par padhi jaa chuki hai woh baatil hai to mayyat par namaaz padhne ke liye ooski qabr kholnaa jaayez nahin Laikin jab tak ooska badan paas paas nah ho jaaye aur jin sharaa'et ka namaaz mayyat ke silsile mein zikr 'aa chuka hai oon ke saath raja' ki nayyat se oos ki qabr par namaaz padhne mein koi harj nahin hai.

Namaaz Mayyat Ka Tariqa

598. Mayyat ki namaaz mein paanch takbeerein hain aur agar namaaz padhne walaa shakhs mandarjah zeil tarteeb ke saath paanch takbeerin kahe to kafi hai.

Niyyat karne aur pahli takbeer ke b'ad kahe : **"Ash hadu an la ilaha illal lah wa ashhadu anna Muhammadan Rasulullah".**

Dusri takbeer ke b'ad kahe : **"Allahumma salli 'ala Muhammadin wa 'ali Muhammad".**
Teesri takbeer ke b'ad kahe : "**Allahummaghfir lil mu'minina wal mu'minat".**

Chauthi takbeer ke b'ad kahe : **"Allahummaghfir li hazal mayyit".**

Aur mayyat aurat ho to kahe : **"All hummaghfir li hazihil mayyit".**

Behtar yeh hai keh pahli takbeer ke b'ad kahe : **"Ash hadu an la ilaha illallahu wohdahu la sharika lah. Wa Ashhadu anna Muhammadan 'abduhu wa Rasuluh, arsalahu bil haqqi bashiran wa naziran bayna yada yis sa'ah".**

Aur dusri takbeer ke b'ad kahe : **"Allahumma salli 'ala Muhammadin wa Ali Muhammad wa barik 'ala Muhammadin wa Ali Muhammad warham Muhammadan wa Ala Muhammadin ka afzali ma sallayta wa barakta wa tarah hamta 'ala Ibrahima wa Ali Ibrahima innaka Hamidum Majid wa salli 'ala jami'il ambiya'iwal-mursalina wash-shuhada'i was-siddiqina wa jami'i 'ibadilla his-salihin".**

Aur teesri takbeer ke b'ad kahe : **"Allahummaghfir lil mu'minina wal mu'minati wal muslimina wal muslimat, al ahya'i minhum wal amwat tabi'baynana wa baynahum bil khayrati innaka mujibud-da'wat innak 'ala kulli shay'in Qadeer"**

Aur agar mayyat mard ho to chauthi takbeer ke b'ad kahe : **"Allahumma inna haza 'abduka wabnu 'abdika wabnu amatika nazala bika wa anta khayru manzulin bihi Alla humma inna la na'lamu minhu illa khayra wa anta a'alamu bihi minna. Alla humma in kana mohsinan fa zid fi ihsanihi wa in kana musi'an fatajawaz anhu waghfir lahu. Alla hummaj'alhu 'indaka fi a'la'illiyyin wakhluf 'ala ahlihi fil ghabirin warhamhu bi-rahmatika ya ar hamar Rahimin".**
B'ad paanchwi takbeer kahe. Laikin agar mayyat aurat ho to chauthi takbeer ke b'ad kahe : **"Alla humma inna hazihi 'amatuka wabnatu 'abdika wabnatu amatika nazalat bika wa anta khayra manzulin bihi Alla humma inna la na'lamu minha illa khayra wa anta a'lamu biha minna. Alla humma in kanat mohsinatan fa zid fi ihsaniha wa in kanat musi'atan fatajawaz 'anha waghfir laha. Alla hummaj'al ha 'indaka fi a'la 'illiyin wakhluf 'ala ahliha fil ghabirin warhamha bi-rahmatika ya ar hamar Rahimin".**

599. Zaruri hai keh takbeerein aur dua'ein tasalsal ke saath yake b'ad digare is tarah padhi jaayein keh namaaz apni shakal nah kho de.

600. Jo shakhs mayyat ki namaaz ya jam'at padh rahaa ho khawoh woh muqatdi ho zaruri hai keh ooski takbeerein aur dua'ein bhi padhe.

Namaaz Mayyat Ke Mustahabaat

601. Chand cheezein namaaz mayyat mein mustahab hain:

1) Namaaz mayyat padhne waale ne wazu, ghusl ya tayyamum kiya ho auristeyat is mein hai eh tayyamum oos vaqt kare jab wazu aur ghusl karna mumkin nah ho ya Oose khadshah ho keh agar wazu ya ghusl karegaa to namaaz mayyat mein shareek nah ho sakegaa.

2) Agar mayyat mard ho to Imam ya jo shakhs akelaa mayyat par namaaz padhaa rahaa ho mayyat ke badan ke darmiyani hisse ke saamne khadhaa ho aur agar mayyat aurat ho to Oose ke seene ke saamne khadhaa ho.
3) Namaaz nange paa'on padhi jaaye.
4) Har takbeer mein haaton ko buland kiya jaaye.
5) Namaazi aur mayyat ke darmiyan itnaa kam faaslah ho keh agar hawa namazi ke lebaas ko harkat de to woh janaze ko ja chhue.
6) Namaz mayyat jama'at ke saath padhi jaae.
7) Imam takbeerein aur dua'ein buland 'awaaz mein padhe aur muqatdi 'ahestah padhein.
8) Namaaz jam'aat mein muqatdi khawoh ek shakhs hi kioon nah ho Imam ke pechche khadhaa ho.
9) Namaaz oadhne walaa mayyat aur maumeneen ke liye kasrat se du'a kare.
10) Baa jam'at namaaz se pahle teen martabah " Oos salaata " kahe.
11) Namaaz aisi jagah padhi jaaye jahan namaaz mayyat ke liye log zayadahtar jaa;ein.
12) Agar haa'ez namaaz mayyat jam'at ke saath padhe to akeli khadhi ho aur namaazion ki saf mein nah khadhi ho.

602. Namaaz mayyat massjidon mein padhnaa makruh hai, Laikin massjid ul haraam mein padhnaa makruh nahin hai.

Daf'an ke Ehkaam

603. Mayyat ko is tarah daf'an karna waajib hai keh oos ki boo baahar nah aaye aur dareende bhi oos ka badan baahar nah nikal saken aur agar is baat ka khauf ho keh dareende oos ka badan baahar nikal leinge to zaruri hai keh qabr ko inton waghairah se pukhtah kar diaa jaaye.
604. Agar mayyat ko zameen mein daf'an karna mumkin nah ho to daf'an karne ke bajaaye Oose kamre ya taaboot mein rakhaa jaa saktaa hai.
605. Mayyat ko qabr mein daa'en pehlu is tarah letaanaa zaruri hai keh oos ke badan ka saamne ka hissaa rubaa qiblah ho.
606. Agar koi shakhs kashti mein mar jaaye aur oos ki mayyat ke kharaab hone ka imkan na ho aur Oose kashti mein rakhne mein bhi koi amr maana' na ho to zaruri hai keh intezaar Karen taakeh khooski tak pohoonch jaaye aur Oose zameen mein daf'an kar dein warnah Oose kashti mein hi ghusl de kar hunoot karein aur kafan pehnaa'ein aur namaaz mayyat padhne ke b'ad Oose martbaan mein rakh kar ooska moonh boond kar dein aur samoondar mein daal dein ya koi bhaari cheez ooske paa'on mein baandh kar amoondar mein daal dein aur jahan tak mumkin ho Oose aisi jagah giraa'ein jahan jaanwar Oose fauran luqmah naa banaa lein.
607. Agar is baat ka khauf ho keh dasman qabr ko khod kar mayyat ka jism baahar nikaal legaa aur ooske kan ya naak ya dusre a'zaa kaat legaa to agar mumkin ho to zaruri hai keh saabqah mass'ale mein bayan kie gaye tareeqe ke mutaabiq Oose samoondar mein daal diya jaaye.
608. Agar mayyat ko samoondar mein daalnaa ya oos ki qabr ko pukhtaa karna zaruri ho to oos ke akhraajaat mayyat ke asal maal mein se le sakte hain.
609. Agar koi kafir aurat mar jaaye aur oos ke pait mein murdah bachchaa ho aur oos bachche ka baap musalmaan ho to oos aurat ko qabr mein baa'ein pehlu qible ki taraf peethh kar ke letaanaa chaahiye taakeh bachche ka moonh qible ki taraf ho aur agar pait mein maujood bachche ke badan mein abhi jaan naa padhi ho tab bhi Ehteyaat-e-mustahab ki bina par yahi hukm hai.

610. Musalmaan ko kafiron ke qabarstaan mein daf'an karna aur kafir ko musalmaanon ke qabarstaan mein daf'an karna jaayez nahin hai.
611. Musalmaan ko aisi jagah jahaan oos ki behurmati hoti ho, mahsalan jahan kudhaa karkut aur gandagi phainki jaati ho daf'an karna jaayez nahin hai.
612. Mayyat ko ghasbi zameen mein ya aisi jagah zameen mein jo daf'an ke a'lawakisi dusre maqsad, maslan massjid ke liye waqf ho daf'an karna agar waqf ke liye nuqsaandeh ho ya waqf ke maqsad se mazaahmat ka baa'es ho to daf'an karna jaayez nahin hai. Yahi hukm Ehteyaat-e-waajib ki bina par oos vaqt bhi hai jab nuqsaandeh ya mazaahumnaa ho.
613. Kisi mayyat ki qabr ko is liye kholnaa keh oosmein kisi dusre murdeh ko daf'an kiya jaa sake jaayez nahin hai Laikin agar qabr puraani ho gayee ho aur pehli mayyat ka nishaan baaqi naa rahaa ho to dsfan kar sakte hain.
614. Jo cheez mayyat se judaa ho jaaye khawoh ooske baal, naakhoon ya daant hi hon Oose is ke saath hi daf'an kar denaa zaruri hai aur agar judaa hone waali cheezein agarche ooske baal, naakhoon ya daant hi kioon naa hon mayyat ko dafnaane ke b'ad milein to Ehteyaat-e-laazim ki bina par zaruri hai keh oonhein daf'an karna mustahab hai/
615. Agar koi shakhs koonwein mein mar jaaye aur Oose baahar nikalnaa mumkin naa ho to zaruri hai keh koonwein ka moonh boond kar dein aur oos koonwein ko hi ooski qabr qaraar dein.
616. Agar koi bachchaa maan ke apit mein mar jaaye aur oos ka pait mein rahnaa maan ki zindagi ke liye khatarnaak ho to zaruri hai keh Oose 'aasaan tareen tareeqe se baahar nikal lein. Chunanche agar Oose tukdhe tukdhe karne par bhi majboor hon to aisaa karne mein koi harj nahin, Laikin zaruri hai keh agar oos aurat ka shauhar ahle fan ho to bachche ko ooske zari'e baahar nikal lein aur agar yeh mumkin naa ho to koi ahle fan aurat Oose baahar nikal le. Aurat ko yeh ikhteyar hai keh woh is silsile mein kisi aise afraad se rajoo' kare jo oos kam ko bahtar tareeqe se anjaam de sake aur oos ki haalat ke ikhteyar se zayadah moonaasib ho, chaahe naamahram hi kioon naa ho.
617. Agar maan mar jaaye aur bachchaa oos ke pait mein zaindah ho aur chaahe mukhtasar muddat ke liye hi sahi, oos bachche ke zindah rahne ki umeed ho to zaruri hai keh jo jagah bhi bachche ki salaamati ke liye bahtar hai Oose chaak karein aur bahche ko baahar nikal lein aur phir oos jagah ko taanke lagaa dein. Laikin agar yaqeen ya itminaan ho keh aisaa karne se bachchaa mar jaayegaa to phir jaayez nahin hai.

Daf'an ke Mustahbaat

618. Mustahab hai keh qabr ko ek mutaawastah insaan ke qad ke lag bagh khodein aur mayyat ko nazdeek tareen qabarstaan mein daf'an karein ya siaa is ke keh jo qabarstaan door ho woh kisi wajah se bahtar ho maslan wohaan log daf'an kiye gaye hon ya zayadah log wohaan faatehaa padhne jaate hon. Yeh bhi mustahab hai keh janaazah qabr se chand gaz door zameen par rakh dein aur teen daf'aa' thodhaa thodhaa karke qabr ke nazdeek le jaayein aur har daf'aa' zameen par rakhein aur phir uthhaa lein aur chauthhi daf'aa' qabr mein utaar dein aur agar mayyat mard ho to tessri daf'aa' zameen par is tarah rakhein keh ooska sar qabr ki nichli tarf ho sur chauthhi daf'aa' sar ki taraf se qabr mein utaar dein aur agar mayyat aurat ki ho teesri daf'aa' Oose qabr ki qible ki taraf rakhein aur pehlu ki taraf se qabr mein utaar dein aur qabr mein utaarte vaqt ek kapdhaa qabr ke uupar taan lein. Yeh bhi mustahab hai keh janazah bade aaram ke saath taboot se nikalein aur qabr mein dakhil Karen aur woh du'aen jinhein padne ke liye kaha gaya hai daf'an karne se pahle aur daf'an karte vaqt padein aur mayyat ko qabr mein rakhne ke b'ad oos ke kafan ki graham khol de aur oos ka rukhsaar zameen par rakh den aur oos ke sar ke niche mitti ka takiyah bana dein aur oos ki peethh ke pichhe kachchi eetein ya dhele rakh dein takeh

mayyat chit na ho jaye aur oos se peshtar qabr band Karen daayaan haath mayyat ke daaen kandhe par marein aur bayaan haath zor se mayyat ke baayen kandhe par rakhen aur moonh oos ke kaan ke qareeb le jayen aur oose zor se harkat dein aur teen daf'a kahen : **Isma 'ifham ya falan ibn falan**- aur falan ibn falan ki jagah mayyat ka aur oos ke baap ka naam lein. Maslan agar oos ka naam moosa aur oos ke baap ka naam imraan ho to teen daf'a kahen: **Isma 'ifham ya moosab na I'mraan**. Is ke b'ad kahen : **"Hal anta 'alal 'ahdil lazi farqtana 'alayhi min shahadati an la ilaha illal lahu wohdahu la sharika lah wa anna Muhammadan sallal lahu 'alayhi wa Alihi 'abduhu wa Rasuluhu wa sayyidoon nabiyyina wa khatamul mursalina wa anna 'Aliyyan Amirul mu'minina wa sayyidul wasiyyina wa imamu nif tarazallahu ta'tahu 'alal 'alamina wa annal Hasana wal Husayna wa 'Aliyyabnal Husayni wa Muhammadabna 'Aliyyin wa Ja'farabna Muhammadin wa Musabna Ja'farin wa 'Aliyyabna Musa wa Muhammadabna'Aliyyin wa 'Aliyyabna Muhammadin wal Hasanabna 'Aliyyin wal Qa'imal hujjatal Mahdi salawatullahi 'alayhim a'i'mmatul mu'minina wa hujajullahi'alal khalqi ajma'ina wa a'immatuka a'immatu hudan abrar ya**….(yahan mayyat ka aur oos ka baap ka naam le) Aur phir kahen :

"Iza atakal malakanil muqarraabani Rasulayni min 'indillahi tabaraka wa ta'ala wa sa'alaka 'an Rabbika wa 'an Nabiyyika wa 'an dinika wa 'an Kitabika wa 'an Qiblatika wa 'an A'immatika fala takhaf wa la tahzan wa'qul fi jawabi hima, Allahu Rabbi wa Muhammadoon sallal lahu 'alayhi wa Alihi nabiyyi wal Islamu dini wal Qur'anu kitabi wal Ka'batu Qiblati wa Amirul mu'minina 'Aliyybnu Abi Talib imami wal Hasanubnu 'Aliyyi nil Mujtaba imami wal Husaynubnu 'Aliyyi nish-shahidu bi-Karbala imami wa 'Aliyyoon Zaynul 'Abidina imami wa Muhammadu nil Baqiru imami wa Ja'faru nis Sadiqu imami wa Musal Kazimu imami wa 'Aliyyu-nir Riza imami wa Muhammadu nil Jawadu imami wa 'Aliyyu nil Hadi imami wal Hasanul 'askari imami wal Hujjatul moontazar imami ha ula'i salawatullahi 'alayhim ajma'in A'i'mmati wa sadati wa qadati wa shufa-a'i bihim atawalla wa min a'daihim atabarra'u fid doonya wal akhirati thumma i'lam ya…….(yahan mayyat ka aur oos ka baap ka naam le) aur phir kahen :

"Annal laha tabaraka wa ta'ala ni'mar-Rabb wa anna Muhammadan sallal lahu 'alayhi wa Alihi ni'mar Rasul wa anna 'Aliyyabna Abi Talib wa awladahul ma'suminal A'i'mmatal ithna 'asharah ni'mal A'i'mmah wa anna ma ja'a bihi Muhammadoon sallal lahu 'alayhi wa Alihi haqqoon wa annal mawta haqqoon wa suwala moonkarin wa nakirin fil qabri haqqoon wal ba'tha haqqoon wan nushura haqqoon wassarata haqqoon wal mizana haqqoon wa tatayiral kutubi haqqoon wa annal jannata haqqoon wan-nara haqqoon wa annas sa'ata a'tiyatoon la rayba fiha wa annallaha yab'athu man fil qubur. Phir kahe :

Afahimta ya ……(yahan mayyat ka aur oos ka baap ka naam le) aur oos ke b'ad kahen : **"Thabbatakallahu bil qawlith thabit wa hadakallahu ila saratim mustaqim 'arrafallahu baynaka wa bayna awliya'ika fi mustaqarrim min rahmatih. Then the following wohrds should be uttered: Alla humma jafil arza 'an jambayhi vas'ad biruhihi ilayka wa laqqihi minka burhana Alla humma 'afwaka 'afwaka".**

619. Mustahab hai keh jo shakhs mayyat ko qabr mein utaare woh bataharat, barhaina sar aur burhaina paon ho aur mayyat ki paiti ki taraf se qabr se bahar nikle aur mayyat ke azeez wa aqraba ke a'lawa jo log maujood hon woh haath ki pusht se qabr par mitti daalein aur "Inna Lillahe wa Inna Alaihe Raje'oon" padhen. Agar mayyat aurat ho to oos ka mahram oose qabr mein utaare aur agar mahram na ho to oos ke azeez oose qabr mein utaarein.

620. Mustahab hai keh qabr chaar kono wali banayee jaye aur zameen se taqreeban chaar angul buloond ho aur oos par koi nishaani laga di jaye takeh pehchanne mein ghalti na ho aur qabr par pani chhidka jaye aur pani chhidakne ke b'ad jo log maujood hon woh apne haathh qabr par rakhein aur apni angulian khol kar mitti mein gad kar saath daf'a surah qadr padhein aur mayyat ke liye maghferat talab Karen aur yeh du'a padhein : **"Allahumma jafil arza a'n jumbehi wa asi'd ileka rohahu wa laqqehi minka rizwanaw wa askin qabrahu mir rahmateka ma tughnehi behi a'r rehmati min sawaka."**
621. Mustahab hai keh jo log janaze ke massha'et ke liye aaye hon oon ke chale jane ke b'ad mayyat ka wali yaw ah shakhas jise wali ijazat de mayyat ko oon du'aon ki talqeen kare jo batayee gayee hain.
622. Daf'an ke b'ad mustahab hai keh mayyat ke pasemanidgaa ko pursa diya jaye laikin agar itni muddat guzar chuki ho keh pursa dene se oon ka dukh tazaa ho jaye to pursa na dena behtar hai. Yeh bhi mustahab hai keh mayyat ke ahal khana ke liye teen din tak khana bheja jaye. Oon ke paas baithh kar aur oon ke ghar mein khana khana makruh hai.
623. Mustahab hai keh Insaan azeez wa aqraba ki maut par khasusan bete ki maut par sabr kare aur jab bhi mayyat ki yaad aaye "Inna Lillahe wa Inna Alaihe Raje'oon" padhen aur mayyat ke liye Qur'an khawani kare aur ma baap ki qabron par jaakar Allah T'ala se apni hajatein talab kare aur qabr ko pukhta kar de takeh jaldi toot phoot na jaye.
624. Kisi ki maut par bhi Insaan ke liye ehteyaat ki bina par jayez nahin keh apna chehra aur badan zakhmi kare aur apne baal noche laikin sar aur chehre ka peetna jayez nahin.
625. Ehteyaat wajib ki bina par baap aur bhaee ke a'lawa kisi ki maut par bhi girebaan chaak karna jayez nahin aur ehteyaat mustahab yeh hai keh oon ki maut par bhi girebaan chaak na kiya jaye.
626. Agar aurat mayyat ke sog mein apna chehra zakhmi kar ke khoon alood kar le ya baal noche to ehteyaat mustahab ki bina par woh ek ghulaam ko azaad kare ya das faqiron ko khana khilaye ya oonhein kapde pehnaye aur agar mard apni biwi ya furzand ki maut par apna girebaan ya lebaas phade to oos ke liye bhi yahi hukm hai.
627. Ehteyaat mustahab yeh hai keh mayyat par rote vaqt awaaz bohut buloond na ki jaye.

Namaaz-e-wehshat qabr

628. Sazaawaar hai keh mayyat ke daf'an ki pehli raat ko oos ke liye do rak'at namaaz-e – wehshat padhi jaaye aur ooske phadne ka tariqa yeh hai keh pehli rak'at mein surah-e-hamd ke b'ad ek daf'a'a aaytal kursi aur doosri rak'at mein surah-e-hamd ke b'ad das daf'e sura-e-qadr phada jaaye aur salaam-e-namaaz ke b'ad kaha jaaye " Allahumma salle a'la muhammad wa a'le Muhammad waba's sawabaha ila qabr falan- aur lafz-e-falan ke bajaaye mayyat ka naam liya jaaye.
629. Namaaz-e-wehshat mayyat ke dafn ke b'ad pehli raat ko kisi vaqt bhi phadi jaa sakti hai laikin behtar yeh hai keh awwal-e-shab mein namaaz-e-isha ke b'ad padhi jaaye.
630. Agar mayyat ko kisi door sheher mein le jaana maqsood ho ya kisi aur wajah se ooske dafn mein taakheer ho jaaye to namaaz-e-wehshat dafn ki pehli raat tak multavi kar dena chahi'e.

Qabr kusha'ee

631. Kisi moosalmaan ki qabr khodna khwoh woh bachha ho ya deewana hi kyoon na ho haraam hai. Haan agar kisi ka badan mitti mein mil kar mitti ho gaya ho to koi harj nahi hai.
632. Imamzaado,shahzaado,a'limo aur saleh logon ki qabron ko ujaadna khwoh oonhein fuat hu'e saleha saal guzar chuke hon aur oonke badan paiwand zameen ho gaye hon agar oonki behurmati hoti ho to haraam hai

633. Chand surtein aisi hain jin mein qabr kusha'ee haraam nahi hai.

(1) Jab mayyat ko ghazbi zameen par dafn kiya gaya ho aur zameen ka maalik ooske wohan rehne par raazi na ho aur qabr khodna bhi harj ka ba'es na ho warna qabr kholna kisi ke liye zaroori na hoga siwa'e gasib ke. Agar qabr kholne ke muqable mein koi ahum cheez takra'ee ho maslan mayyat ko tukde tukde karna pad raha ho to qabr kholna qata'ee zaruri nahi balki jaayez nahi hai aur agar qabr kholna behurmati ka sabub ho to ehteyaat ki bina par jayez hi nahi hai siwa'e ooske ke mayyat ne oos zameen ko ghasb kiya ho

(2) Jab kafan ya koi aur cheez mayyat ke saath dafn ho gayi ho ghasbi ho aur ooska maalik is baat par razamand na ho keh woh qabr mein rahe aur agar khud mayyat ke maal mein se koi cheez jo oos ke waariso ko mili ho ooske saath dafn ho gayi ho aur ooske waaris is baat pe raazi na ho ke woh cheez qabr mein rahe to oos ki bhi yahi surat hai. Albatta agar marne waale ne wasiyat ki ho ke dua ya qur'an-e-majeed ya angoothi ooske saath dafn ki jaaye aur ooski wasiyat par amal karna zaroori ho to oon cheezon ko nikaalne ke liye qabr ko nahi kholaa jaa sakta. Is muqaam par bhi woh istasna jaari hai jis ka zikr pehle mawaad mein kiya gaya hai.

(3) Jab qabr ka kholna mayyat ki behurmati ka maujab na ho aur mayyat ko baghair ghusl diye ya kafan pehnaaye dafn kiya gaya ho ya pata chale ke ghusl baatil tha ya oose shara'ee ehkaam ke mutaabik kafan nahi diya gaya tha ya qabr mein qible ke rukh nahi litayaa gaya tha.

(4) Jab koi aisa haq saabit karne ke liye jo qabr kooshaayi se zayada ahum ho mayyat ka badan dekhna zaroori ho.

(5) Jab mayyat ko aisi jagah dafn kiya gaya ho jahan ooski behrmati hoti ho maslan oose kafiron ke qabristan mein ya oos jagah dafn kiya gaya ho ya jahan ghalaazat aur kudha karkat phainka jaata ho.

(6) Jab kisi aisi shar'ee maqsad ke liye qabr kholi jaaye jis ki ehmiyat qabr kholne se zayada ho maslan-kisi zinda bacche ko aisi haamela aurat ke pait se nikaalna matloob ho jise daf'an kar diya gaya ho.

(7) Jab yeh khauf ho ke darinde mayyat ko cheer phadh dalegaa ya sailaab oose bahaa le jayegaa ya dooshman oose nikaal legaa.

(8) Mayyat ne wasiyat ki ho keh oose dafn karne se pehle muqaddas muqamaat ki taraf moontaqil kiyaa jaaye aur oon muqamat ki moontaqil karne mein koi rukaawat bhi na ho laikin jaan bhoojh kar,ya laa ilmi ,ya bhoole se kisi doosre jagah dafna diya jaaye to agar behurmati na hu'ee ho aur koi rukawat bhi na ho to is surat mein qabr khol kar oose na muqaddoos muqaam ki taraf le jaa sakte hain, balkeh mazkooraah surat mein to qabr ko kholna aur mayyat ko moontaqil karna waajib hai-

Mustahab Ghusl

634. Islami shari'at mein bohut se ghusl mustahab hain jin mein se kuch yeh hain:

(1) Ghusl-e-jummah - Iska vaqt subah ki azaan ke b'ad se suraj ghuroob hone tak hai aur behtar yeh hai ke zohur ke qareeb ise bajaa layaa jaaye aur agar koi shakhs ise zohur tak ise anjaam na de to behtar hai ke adaa aur qaza ki niyyat ke baghair ghuroob-e-aaftaab tak bajaa laaye aur agar jumaah ke din ghusl kare to mustahab hai ke hafte ke din subah se ghuroob-e –aaftaab tak ooski qaza baja laaye-jo shakhs jaanta ho ke oose jumme ke din paani mayessar na hoga to woh qaza ki niyyat se jumeraat ke din ya shab-e-jumma mein ghusl anjaam de sakta hai aur mustahab hai insaan ghusl-ejumma karte vaqt yeh dua

padhe: “Ash hado al la ilaha illalaho wohadu la sharka lahu wa anna Muhammad, a’bdahu wa rasulahu Allahumma sale a’la muhammadiwn wa aale muhammadiwn waj a’lni minat tawwabina waj a’lni minal mutahhereen”.

(2 to 7) Ramzaan ki 1st,7th,19th,21st 23rd, aur 24th raat ka ghusl .

(8to 9) Eid-ul-fitr aur Eid-ul –qurbaan ke din ka ghusl - Is ka vaqt subah ki azaan se suraj ghuroob hone tak hai aur behtar hai keh ye ghusl Eid ki namaaz se pehle kar liya jaaye

(10 to 11) Zil-hajj ke 8th aur 9th din ka ghusl aut behtar ye hai ke nave din ka ghusl zohur ke nazdeek kiya jaaye-

(12) Oos shakhs ka ghusl jisne apne badan ka koi hissa aisi mayyat ke badan se mass kiya ho jise ghusl diya gaya ho-

(13) Ehraam ka ghusl-

(14) Haram-e-makkah mein daakhil hone ka ghusl-

(15) Makkah-e-muqarrema mein daakhil hone ka ghusl-

(16) Khaana-e-k’aba ki ziyaarat ka ghusl-

(17) K’aba mein daakhil hone ka ghusl-

(18) Zibah aur nehr ke liye ghusl-

(19) Baal moondwaane ke liye ghusl-

(20) Haram-e-madina mein dakhil hone ka ghusl-

(21) Madinah-e-moonawwarah mein daakhil hone ka ghusl-

(22) Massjid-e-nabavi mein daakhil hone ka ghusl

(23) Rasoole akram (saws) ki qabr-e-mutahhir se wida hone ka ghusl-

(24) Dashman ke saath mubahela karne ka ghusl-

(25) Navza’ed bacche ka ghusl-

(26) Istekhaara karne ka ghusl-

(27) Talab-e-baaraan ka ghusl-

635. Fuqha ne mustahab ghuslon ke baab mein bohut se ghuslon ka zikr farmaya hai jin mein se chand ghusl yehh hain:

(1) Maah-e-ramzaan ke tamaam taao raaton ka ghusl aur ooski aakhri dahaayi ki tamaam raaton ka ghusl aur ooski 23th raat ke aakhri hisse mein doosra ghusl.

(2) Maah-e-zilhajj ke 24th din ka ghusl

(3) Eid-e-navroz ke din aur 15th shabaan aur 9th aur 17th rabi-ul-awwal aur zil qadha ki 25th ka ghusl.

(4) Oos aurat ka ghusl jisne apne shauhar ke alawa kisi aur ke liye khoosboo istemaal ki ho

(5) Oos shakhs ka ghusl jo massti ki haalat mein ho gaya ho.

(6) Oos shakhs ka ghusl jo kisi sooli chade insaan ko dekhne gaya ho aur oose dekha bhi ho laikin agar ittefaqan yaa majboori ki haalat mein nazar gayi ho yaa misaal ke tor pe agar shahadat dene gaya ho to ghusl mustahab nahi hai

(7) Door ya nazdeek se massoomeen (a.s) ki ziyarat ke liye ghusl- In mein se kisi ghusl ka bhi mustahab hona sabit nahin aur jo shakhs bhi in mein se koi ghusl anjaam dena chahe zaruri hai ke raj'a ki niyyat se anjaam de.

636. Oon mustahab ghuslon ke saath jin ka zikr massael no.634 mein kiya gaya hai, insaan aise kaam maslan namaaz anjaam de sakta hai jin ke liye wazu laazim hai(y’ani wazu karna zaruri nahi hai) laikin jo ghusl ba-taur raj’a kiyeh jaayen maslan woh ghusl jin ka tazkerah massla no.635 mei kiya gaya, wazu ke liye kifaayat nahi karte, (y’ani saath saath wazu bhi karna zaruri hai)

637. Agar kayi mustahab ghusl kisi shakhs ke zimme ho woh sab ki niyyat kar ke ek ghusl kar le to kaafi hai. Han! Agar ghusl mukallif ke kisi ki wajah se mustahab hua ho, massalan aise shakhs ka ghusl jis ne apne badan ko koi hissa kisi aisi mayyat se mass kiya ho jis ko ghusl diya ja chukka ho, to aisi surat mein chand mukhtalif wajuhaat ki bina par mustahab hone waale ghuslon ke liya ek ghusl par iktefa karna mahel ashkal hai.

Tayyamum

Saat suratein hain wazu ya ghusl ke bajaaye tayyamum karna zaruri hai :

Tayyamum ki pehli surat

Paani ka na hona -

638. Agar insaan aaba'adi mein ho to zaruri hai ke wazu aur ghoosk ke liye paani muhaiyya karne ke liye itni joostuju kare ke bil aakhir ooske milne se na umeed ho jaaye aur agar biyaabaan mein ho to zaruri hai ke raaston mein yaa theherne ki jagahon mein paani talaash kare aur ehteyaat-e-laazim yehh hai ke wohan ki zameen na humwaar ho ya darakhton ki kasrat ki wajah se raah chalna dashvaar ho chaaron aitraaf mein se har taraf puraane zamaane kamaan ke challe pe chada kar phenke jaane waale teer ki parwaaz ke faasle ke barabar paani ki talaash mein jaayein warna har taraf andaazan do baar phenke jaane waale teer ke faasle ke barabar joostuju kare.

639. Agar chaar aitraaf mein se b'az humwar aur b'az nahumwar hon to jo taraf humwar hon oos mein do teeron ki parwaz ke barabar aur jo taraf nahumwar hon oos mein ek teer ki parwaz ke barabar paani talash kare.

640. Jis tarf paani na hone ka yaqeen ho oos taraf talaash karna zaruri nahi hai.

641. Agar kisi shakhs ki namaaz ka vaqt tang na ho aur paani haasil karne ke liye ooske paas vaqt ho aur oose yaqeen ya itmenaan ho ke jis faasle tak ooske liye paani talaash karna zaruri hai oosse door paani maujood hai to oose chahiyeh ke paani haasil karne ke liye wohan jaaye laikin agar wohan jaana masshhqat ka baa'es ho yaa paani bohot zayada door ho ke log yeh kahe ke ooske paas paani nahi hai to wohan jaana laazim nahi hai aur agar paani hone ka gumaan ho to bhi jaana zaruri nahi hai

642. Yehh zaruri nahi hai ke insaan khud paani ki talaash mein jaaye balke woh kisi aise shakhs ki baat par iktefa kar sakta hai jisne justuju kar li ho aur jiski baat par oose itmenaan ho-

643. Agar is baat ka ehtemaal ho ke kisi shakhs ke liye apne safar ke samaan mein ya padaav daalne ki jagah ya kafile mein paani maujood hai to zaruri hai ke is qadr joostuju kare ke oose paani ke na hone ka itminaan ho jaaye ya ooske hasool se na umeed ho jaaye
-siwaayeh iske ke pehle kisi maurad mein paani na tha aur ab yeh ehtemaal ho ke shayad paani aa chukka ho ke is surat mein justuju zaruri nahi-

644. Agar ek shakhs namaaz ke vaqt se pehle paani talaash kare aur haasil na kar paayeh aur namaaz ke vaqt tak wohan rahe to agar paani milne ka ehtemaal ho to ehteyaat-e-mustahab yehh hai ki woh dobaara paani ki talaash mein jaaye.

645. Agar namaaz ka vaqt daakhil hone ke ba'ad paani talaash kare aur paani na haasil kar paayeh aur ba'ad wali namaaz tak oosijagah par rahe to agar paani milne ka ehtemaal ho to ehteyaat-e –mustahab yehh hai ke dobaara paani ki talaash mein jaaye.

646. Agar kisi shakhs ki namaaz ka vaqt tang ho ya oose chor daaku aur darinde ka khauff ho ya paani ki talaash itni kathin ho to woh oos sa'oobat ko bardaasht na kar sake to talaash zaruri nahi hai.

647. Agar koi shakhs paani talaash na kare hatta ke namaaz ka vaqt tang ho jaaye aur paani talaash karne ki surat mein paani mil sakta tha to woh goonaah ka murtakab hua laikin tayyamum ke saath ooski namaaz sahi hai.
648. Agar koi shakhs is yaqeen ki bina pap ke oosko paani nahi mil sakta hai paani ki talaash mein na jaaye aur tayyamum karke namaaz padhe aur ba'ad mein oose pata chale ke agar talaas karta to paani mil sakta tha to ehteyaat-e-laazim ke bina par wuzu karke namaaz dobaara padhe.
649. Agar kisi shakhs ko talaash karne par paani na mile aur milne se maayoos ho kar tayyamum ke saath namaaz padh le aur namaaz ke ba'ad oose pata chale ke jahan oosne talaash kiya tha wohan paani maujood tha to ooski namaaz sahi hai.
650. Jis shakhs ko yaqeen hai ke namaaz ka vaqt tang hai aur woh paani talaash kiyeh baghair tayyamum karke namaaz padh le aur namaaz padhne ke ba'ad aur vaqt guzarne se pehle oose pata chale ke paani talaash kare ke liye ooske paas vaqt tha to ehteyaat-e-waajib yehh hai ke woh dobaara namaaz padhe.
651. Agar ek shakhs bawuzu ho aur oose m'aloom ho ke agar oosne apna wuzu baatil kar diya to dobaara wuzu karne ke lie paani nahi milegaayaa woh wuzu nahi kar paayehgato is surat mein agar woh apna wuzu barqrar rakh sakta ho to ehteyaat-e-wajib ki bina par oose chahiyeh ke wuzu baatil na kare abhi namaaz ka vaqt daakhil hua ho na hua ho laikin aisa shakhs yeh jaante hue bhi ke ghusl na kar paayehgaaapni biwi ke saath jama'a kar sakta hai.
652. Jab kisi ke paas faqat ghusl yaa wuzu ke liye paani ho aur woh jaanta ho ke oose giraa dene ki surat mein mazeed paani nahi milegaa to agar namaaz ka vaqt daakhil ho gaya ho to oos paani ka giraana haraam hai aur ehteyaat-e-waajib yeh hai ki namaaz ke vaqt se pehle bhi naa giraayeh.
653. Agar koi shakhs yeh jaante hue ke oose paani na mil sakega apna wuzu batil kar de yaa jo paani ooske paas ho oose giraa de to agarche oosne (hukm-e-masla ke) bar aqs kaam kiya hai tayyamum ke saath ooski namaaz sahi hogi laikin ehteyaat-e-mustahab yehh hai ke oos namaaz ki qaz'aa bhi kare.

Tayyamum ki dusri surat

Paani tak rasaa'ee na hona

654. Agar koi shakhs budhaape yaa kamzori ki wajah se yaa chor daaku aur jaanwar waghairah ke khauff se yaa kuwwe se paani nikaalne ke wasaail mayyasar na hone ki wajah se na kar sakte to zaruri hai ke tayyamum kare
655. Agar kuwein se paani nikaalne ke liye dol ya rassi waghairah zaruri ho aur insaan majboor hoke oonhein khareede ya kiraayeh par haasil kare to khwoha oonki kimat aam bhaao se kayi goonaa zayada hi kyoon na ho zaruri hai ke oonhein haasil kare-agar paani apni asli kimat se mehngaa bechaa jaa raha ho to ooske liye bhi yahi hukm hai-laikin oon cheezon ki husoolpar itna kharch uthta ho jo ooske maal ke a'itbaar se zarrar ka baa'es ho to phir oon cheezon ka muhaiyya karna wajib nahi hai
656. Agar koi shakhs majboor ho ke paani muhaiyya karne ke liye karz le to karz lena zaruri hai laikin jis shakhs ko ilm ho yaa gumaan ho ke woh apne karze ki ada'engi nahi kar sakta ooske liye karz lena waajib nahi hai.
657. Agar koonwa khodne mein koi massshaqqat na ho to zaruri hai ke paani muhaiyya karne ke liye koonwa khode-
658. Agar koi shakhs baghair ahsaan rakhe kuch paani de to oose Kabul kar lena zaruri hai.

Tayyamum ki teesri surat

Paani ke iste'maal mein khauff ho

659. Agar paani ka iste'maal kisi shakhas ke liye jaan lewaa hoyaa ooske badan mein kisi aib yaa marz ke paida hone ya maujoodaa marz ke tulaani yaa shaded ho jaane yaa eelaajmuaalij mein dooshwaari paida hone ka sabab ho to ooske liye zaruri hai ke tayyamum kare-laikin agar paani ki zarar agar kisi tariqe se ddorkar sakte ho maslan yehh ke paani ke garam karne se zarar door ho sakta ho to paani garam karke wuzu kare aur agar ghusl karna zaruri ho to ghusl kare.
660. Zaruri nahi keh kisi shakhs ko yehh yaqeen ho ke paani ooske liye muzar hai balke agar zarar ka ehtemaal hoaur yeh ehtemaal aam logo ki nazron mein maaqool ho to tayyamum karna zaruri hai.
661. Agar koi shakhs zarur ke yaqeen ya ehtemaal ki wajah se tayyamum kare aur oose namaaz se pehle pata chal jaaye ke paani ooske liye nuksaandeh nahi hai to ooska tayyamum baatil hai aur agar is baat ka pata namaaz ke ba'ad pata chale to wuzu ya ghusl karke dobaara namaaz padhna zaruri hai siwaayeh iske ke zarar ke yakeen yaa ehtemaal ke bawajood wuzu ya ghusl karna aisi zehni bechaini ka baa'es ho jise bardasht karna mushkil hai.
662. Agar kisi shakhs ko yaqeen ho ke paani ooske liye muzar nahi hai aur ghusl ya wuzu kare ba'ad mein oose pata chale ke paani ooske liye muzar tha to wuzu aur ghusl dono baatil hai.

Tayyamum ki chauthhi surat

Harj aur masshaqqat

663. Agar kisi shakhs ke liye paani muhaiyya karna ya oose istemaal karna aise harj ya masshaqqat ka baa'es ho jise aam taur par bardaasht nahi kiya jaata ho to tayyamum kar sakta hai laikin agar woh masshaqqat bardaasht karte hue wuzu yaa ghusl karle to oos ke liye wuzu ya ghusl sahi honge.

Tayyamum ki paanchvi surat

Paani pyaas bujhaane ke liye zaruri ho

664. Agar kisi shakhs ko pyaas bujhaane ke liye zarurat ho to zaruri hai ke tayyamum kare aur is wajah se tayyamum ke jaayez hone ki do surtein hain :

(1) Agar paani wazu ya ghusl karne mein sirf kar diyaa to woh khud fauri taur pe yaa ba'ad mein aisi pyaas mein mubtela hoga jo ooski halaqat ya alaalat ka mo'jab hogi ya jis ka bardaasht karna oos ke liye sakht takleef ka ba'es hoga

(2) Apne ala'wa khud se wabasta dusre afraad ke khatir darta ho chaahe woh dusre nufoos muhtaram bhi na rakhte ho jab ki oon ki zindagi ke oomur oos ke liye ehmiyat ke haamil ho chahe oos liye ke woho on se shaded mohabbat rakhta ho yaa oos a'itbaar se oon ka ka talf ho jaana oos ke liye maali nuksaan ka ba'es hai yaa oos ke liya oon ka khayal karna arffan oos ke liye zaruri hai jaise dost aur humsaayeh –oon dono surton ke alawa bhi mumkin hai ke pyaas tayyamum ke jawaaz ka sabab bane laikin oos wajah se nahi balki is liye ke jaan ki hifaazat waajib hai yaa is liye ki pyaase ki maut ya bechaini mummanan oos ke harj ka sabab bane

665. Agar kisi l ke paas oos paak paani ke ala'wa jo wuzu ya ghusl ke liye ho itna najis paani bhi ho jitna oose peen eke liye darkaar hai to zaruri hai ke paak paani peene ke liye rakh le aur tayamum karke namaaz padhe laikin agar paani oos ke saathiyon ke peen eke liye darkaar hao to woh paak paani se wuzu ya ghusl kar sakta hai kwoha oos ke saathi pyaas bujhaane ke liye najis paani peene par hi majboor kyoon na ho balki agar woh log oos paani ke najis hone ke baare mein na jaante ho yaa yehh ke najasat se parhez na karte ho to laazim hai ke paak paani wuzu ya ghusl ke liye sirf kare aur isis tarah paani jaanwar ya kisi baaligh bacche ko pilaana chahiyeh hai yab bhi zaruri hai ke oonhein woh najis paani pilaayeh aur paak paani se wuzu ya ghusl kare-

Tayyamum Ki chhati Surat

Wuzu ka takraav kisi shara'ee takleef se ho raha ho jo oon se zayada ahem ho ya massaavi ho

666. Agar kisi shakhs ka badan ya libaas najis ho aur oos ke paas itni miqdaar mein paani ho ke woh oose wuzu ya ghusl kar le to badan ya libas dhone ke liye paani na bachta ho to zaruri hai ke badan ya libaas dhoyeh aur tayyamum kar ke namaaz pabhe- laikin agar oos ke paas aisi koi cheez na ho jis par tayyamum kare to zaruri hai ke paani ya wuzu ya ghusl ke liye istemaal kare agar oos k paas aisi koi cheez na ho jis par tayyamum kare to zaruri hai ke paaani wuzu ya ghusl ke liye istemaal kare aur najis badan ya libaas ke saath namaaz padhe-

667. Agar kisi shakhs ke paas siwaayeh aise paani ya bartan ke jiska istemaaal karna haraam hai koi aur bartan na ho maslan jo paani ya bartan ooske pas ho woh ghasbi ho aur oose ke ala'wa ooske paas paas koi paani ya bartan na ho to zaruri hai ke woh wuzu ya ghuslke bajaaye tayyamum kare-

Tayyamum Ki Saatwin Surat

Vaqt ka tang hona-

668. Jab vaqt itna tang ho ke agar ek shakhs wuzu ya ghusl kare to saari namaaz ya oos ka kuch hissa vaqt ke ba'ad padha jaa sake to zaruri hai ke tayyamum kare-

669. Agar koi shakhs jaan bujh ke namaaz padhne mein itni taakhir kare ke wuzu ya ghusl ka vaqt baaki na rahe to woh goonaah ka murtakab hogaa laikin tayyamum ke saath ooski namaaz sahi hai-agarche ehteyaat-e-mustahab yehh hai ki namaaz qaz'a bhi kare-

670. Agar kis ko shak ho ke woh wuzu ya ghusl kare to namaaz ka vaqt baaki rahega ya nahi to zaruri hai ke tayamum kare

671. Agar kisi shakhs ne vaqt ki tangi ki wajah se tayyamum kiya ho aur namaaz ke ba'ad wuzu kar sakne ke bawajoood na kiya ho hatta k eke jo paani ooske paas thaw o zaayaa ho gaya ho to oos surat mein oos ka fariza tayyamum ho zaruri hai ke aainda namaazo ke liye dobaara tayyamum kare khwoha tayyamum jo oosne kiya thaw o tuta na ho-

672. Agar kisi shakhs ke paas paani ho laikin vaqt ke tangi ke baa'es tayyamum karke namaaz phadne lage aur namaaz ke dauraan jo paani ooske paas thaw o zaaya ho jaaye-ab agar ooska fariza tayyamum ho to ba'ad ki namaazon ke liye dobaara tayyamum karna zaruri nahi hai agarche behtar hai-

673. Agar kisi shakhs ke paas itna vaqt ho ke woh wuzu ya ghusl kar sake aur namaaz ko ooske mustahab af'aal maslan aqamat aur qoonut ke baghair le to zaruri hai ke ghusl ya wuzu kar le aur ooske mustahab af'aal ke baghair namaaz padhe balki agar surah padhne jitna vaqt bhi na bachta ho to zaruri hai ke ghusl ya wuzu kare aur baghair surah ke namaaz padhe-

Woh Cheezein Jin Par Tayyamum Karna Sahi Hai

674. Mitti, reit, dhele, aur patthar par tayyamum karna sahi hai laikin ehteyaat-e-mustahab yehh hai ke agar mitti mayyasar ho to kisi dusri cheez par na kiya jaaye-agar mitti na ho to intihaaee baarik bajri par jise jise mitti kaha jaa sake ,agar yehh bhi mumkin na ho to dhele par agar dhela bhi naho to to phir reit par aur agar reit aur dhela bhi na ho to patthar par tayamum kiya jaaye-

675. Gypsum aur choone ke patthar pe tayyamum karna sahi hai niz is gard-o-gubaar par jo qaleen kapde aur oon jaisi dusri cheezon par jamaa ho jaata hai agar arif-e-aam hai ke oose naram mitti shumaar kiya jaata ho to oos par tayyamum sahi hai –agarche ehteyaat-e-mustahab yehh hai ke ikhteyaar ki haalat mein oos par tayyamum na kare-isi tarah ehteyaat-e-mustahab ki

bina par ikhteyaar ki haalat mein pakke gypsum aur choone aur pakke eent aur dusri ma'dani pattar maslan aqiq waghairah par tayyamum na kare-

676. Agar kisi shakhs ko mitti,pattar,reit ya dhela na mil sake to zaruri hai ke tar mitti par tayyamum kare aur agar tar mitti na mile to zaruri hai ke qaleen ,dari,ya libaas aur oon jaisi dusri cheezon ke andar ya uupar maujood dhaas mukhtasar se gard-o-gooobaar se ji arif mein mitti shumaar na hota ho tayyamum kare aur agra oon mein se koi cheez bhi dasteaab na ho to ehtiya-e-mustahab yehh hai ke tayyamum ke baghair namaz padhe laikin waajib hai ke ba'ad mein oos namaaz ki qaz'a padhe-

677. Agar koi shakhs qaleen,dari ya oon jaisi cheezon ko jhaad kar mitti muhhaiyya kar sakta hai to ooska gard aaood cheezon par tayyamum karna baatil hai aur isi tarah tar mitti ko khusk karke oose sukhi mitti haasil kar sakta ho to tar mitti pe tayyamum karna baatil hai-

678. Jis shakhs ke paas paani na ho aur barf ho aur oose phighla sakta ho to oosse phighlaa kar paani banana aur oosse wuzu ya ghusl karna zaruri hai aur agar aisa karna mumkin na ho aur ooske paas koi aisi cheez bhi na ho ke jis par tayyamum karna sahi ho to oos ke liye zaruri hai ke vaqt guzarne ke ba'ad namaz ko qaz'a kare aur behtar yehh hai ki barf se wuzu ya ghusl ke aaza ko tar kare aur wuzu mein haath ki ratoobat se sar aur pairon ka massah kare aur agar aisa karna bhi mumkin na ho to barf par tayyamum kar le aur vaqt par bhi namaaz padhe albatta dono surton mein qaz'a zaruri hai

679. Agar mitti ya reit ke saath sukhi ghaas ki tarah koi cheez mili hui ho jis par tayyamum karna baatil ho to oos par tayyamum nahi kar sakte-laikin agar woh cheez itni kam ho ke oose mitti ya reit mein na hone ke barabar samjha jaa sake to mitti aur reit par tayyamum sahi hai-

680. Agar ek shakhs ke paas koi aisicheez na ho jis par tayyamum kiya jaa sake aur ooska khareedna ya kisi aur tarah haasil karna mumkin ho to zaruri hai ke oos tarah muhaiyya karle-

681. Mitti ki deewar par tayyamum karna sahi hai aur ehteyaat-e-mustahab yeh hai ke khushk zameen ya khushk mitti ke hote hue tar zameen ya tar mitti par tayamum na kiya jaaye.

682. Jis cheezon par insaan tayyamum kare oon cheezon ka shar'an paaak hona zaruri hai aur ehteyaat-e-waajib ki bina par zaruri hai ke arifan bhi paakiza ho jis par tayyamum karna shi ho to oos par namaaz waji b nahi hai laikin zaruri hai keh ooski qaz'a bajaa laayeh aur behtar yehh hai keh vaqt mein bhi namaz padhe- Haan agar baat gard aalood qaleen tak aa chuki ho aur woh najis ho ehteyaat-e-wajib ki bina par zaruri hai ke oose tayyamum karke namaaz padhe aur phir ba'ad mein ooski qaz'aa bhi kare.

683. Agar kisi shkhs ko yakeen ho k eek cheez par tayymum karna sahi hai aur oospar tayyamum kar le ba'ad-e-azaan oose pata chale ke oos cheez par tayyamum karna baatil tha to zaruri hai ke jo namaaz oos tayyamum ke ssath padhi oose dobara padhe-

684. Jis cheez par koi shakhs tayyamum kare zaruri hai keh woh ghasbi na ho pas agar woh ghasbi mitti par tayamum kare to ooska tayyamum batil hai.

685. Ghasb ki hui faza mein tayyamum karna baatil nahi hai –lehaza agar koi shakhs apni zameen pe apne haath mitti par mare aur phir bila ijazat dusre ki zameem mein dakhil ho jaaye aur haathon ko peshaani par pher le to ooska tayyamum sahi hoga agarche goonaah ka murtakab hoga.

686. Agar koi shakhs bhoole se ya ghaflat mein kisi ghasbi cheez par tayyamum karle to sahi hai laikin agar woh khud koi cheez ghasb kare aur phir bhool jaaye ke ghasb ki hai to oos cheez par tayyamum ke sahi hone ka iskaal hai.

687. Agar koi shakhs ghasbi jagah mein qaid kar diya gaya ho aur oos jagah ki mitti aur paani dono ghasbi hain to zaruri hai ke tayamum karke namaaz padhe-

688. Jis cheez par tayyamum kiya jaaye ehteyaat-e-laazim ke bina par zaruri hai ke oos par kuch gard-o-gubaar maujood ho jo ke haathon par lag jaaye aur oos par haath marne ke ba'ad zaruri hai keh itne zor se haathon ko na jhaade keh saari gard gir jaaye.
689. Ghade wali zameen, raste ki mitti aur aisi shoor zameen par jis par namak ki tah na jami ho tayyamum karna makruh hai aur agar oos par namak ki teh jum gayi ho to tayyamum karna baatil hai.

Wuzu Ya Ghusl Ke Badle Tayyamum Karne Ka Tariqa

690. Wuzu ya ghusl ke badle kiyeh jaane waale tayyamum pe teen cheezein waajib hain:

1) Dono haatheliyon ko aisi cheez par maarna ya rakhna jis par tayyamum karna sahi ho-ehteyaat-e-laazim ki bina par dono haath ek saath zameen par maarna ya rakhna chahiyeh.
2) Dono haatheliyon ko poori peshaani par sar ke baal ugne ki jagah se abru aur naak ke baa'layi hisse tak pherna aur isi tarah ehteyaat-e-waajib ki bina par peshaani ki dono taraf dono haatheliyon ka pherna ehteyaat-e-mustahab hai ke haath abru ke uupar bhi phera jaaye.
3) Ba'en haatheli ko da'en haath ki tamaam phust par aur oos ke ba'ad da'en haatheli ko baayeh haath ki tamaam pusht par pherna.

Zaruri hai ke tayyamum qurbatan illahah ki niyyaat se anjaam de jaise ke wuzu ke massa'el mein bataya jaa chuka hai-
691. Ehteyaat-e mustahab yehh hai ke tayyamum khwoha wuzu ke badle ho ya ghusl ke badle oose tarteeb se kiya jaaye yaa'ni ek daf'a haath zameen par maara jaaye aur peshaani aur haathon ki pusht par phera jaaye phir ek daf'a zameen par maara jaaye aur haathon ki pusht ka massah kiya jaaye.

Tayyamum ke Ehkaam

692. Agar ek shakhs peshaani yaa haathon ki pusht ke zara se hisse ka bhi massah na kare to oos ka tayyamum baatil hai qat'a nazar oosse ke oosne a'mdoon massah na kiya ho ya massla na jaanta ho ya massla bhool gaya ho laikin zayada baarik bani ka bhi khayaal rakhna zaruri nahi-agarche kaha jaa sake ke tamaam peshaani aur haathon ka massah ho gaya hai to itna hi kaafi hai.
693. Agar kisi shakhs ko yakeen na ho keh haath ki pusht ka massh kar liya hai to yakeen haasil karne ke liye zaruri hai keh kalaai se kuch uupar waale hisse ka bhi massah kar le laikin oongliyon ke darmiyaan massah karna zaruri nahi hai-
694. Tayyamum karne waale ko peshaani aur haathon ki pusht ka massah ehteyaat ki bina par uupar se neeche ki jaanib karna zaruri hai aur yehh af'aal ek dusre se mutsil hone chahiyeh aur agar oon af'aal ke darmiyaan itna faasla de keh log yehh na kahe ke tayyamum kar raha hai to tayyamum baatil hai.
695. Niyyat karte vaqt laazim nahi hai ke is baat ka ta'een kare ke ooska tayyamum ghusl ke badle hai ya wuzu ke badle laikin jahan do tayyamum anjaam dena zaruri ho to zaruri hai ke oon mein se har ek ko kisi bhi a'itbaar se mo'ayyan kare aur agar oos par ek tayyamum waajib ho to niyyat kare keh main is vaqt apna farizaa anjaam de raha hoon to agarche woh mu'ayyan karne mein ghalti kare to ooska tayyamum sahi hai
696. Tayyamum mein peshaani haathon ki haatheli aur haathon ki pusht zaruri nahi hai ke paak ho, agarche behtar hai ke paak ho.

697. Zaruri hai keh haath par massah karte vaqt anghoothi ootaa de aur agar peshaani ya haathon ki pusht ya haathelyon par koi rukawat ho maslan koi cheez agar chipki hui ho ti oose hata de.
698. Agar kisi shakhs ki peshaani ya haathon ki pusht par zakhm ho aur oos par kapda ya patti bandhi ho jis ko khola na jaa sake to zaruri hai ke ooske uupar se haath phere-agar haatheli zakhmi ho aur uupar kapda ya patti waghairah bandhi ho jise khola na jaa sake to zaruri hai ke kapde ya patti waghairah samet haath oos cheez par mare jis cheez par tayyamum karna sahi ho aur phir peshaani aur haathon ki pusht par phere,laikin agar haatheli ka kuch hissa khula hua ho to oosi ko zameen par mar kar oosi se massah kar lena kaafi hai.
699. Agar kisi shakhs ki peshaani ya haathon ki pusht par ma'mool ke muta'bik baal ho to koi harj nahi hai laikin agar sar ke baal peshaani pea a gire ho to to zaruri haioonhein peeche hata de
700. Agar ehtemaal ho ke pehaani aur haatheliyon yaa haathon ko pusht par koi rukawat hai aur yehh ehtemaal logon ki nazon mein ma'qol ho to zaruri hai ke chaan been kare take oose yaken ya itmenaan hi jaaye ke rukawat maujood nahi hai-
701. Agar kisi shakhs ka fariza tayyamum ho aur woh khud tayyamum na kar sakta ho to to zarurihai ke kisi dusri shakhs ki madad le take woh madadgaar muta'elaqa shakhs ke haathon ko oos cheez par maare jis cheez par tayyamum karna sahi hao aur phir mut'aelaqa shakhs ke haathon ko ooski peshaani aur dono haathon ki pusht par phere aur agar yehh mumkin na ho to naa'eb ki liye zaruri hai ke apne haathon ko oos cheez par mare jis cheez par tayyamum karna sahi ho aur phir mut'aelaqa shakhs ki haathon aur peshaani par phere –oon dono surton mein ehteyaat-e-laazim ke bina par dono shakhs tayamum ki niyyat kar le laikin pehli surat mein khud muqqalif ki niyyat kaafi hai-
702. Agar koi shakhs tayyamum ke dauraan shak kare keh woh oos ka koi isa bhool gaya hai yaa nahi aur oos hisse ka mauka guzar gaya ho to woh apne shak ki parwoh na kare aur agar mauka na guzraa to zaruri hai ke oos hisse ka tayyamum kar le –
703. Agar kisi shakhs ko baayeh haath ka massah karne ke ba'ad shak ho ke aaya ooska ka tayamum durust hai ya nahi to ooska tayyamum sahi hai agar oos ka shak baayeh haath ke masseh ke baare mein ho ooske liye zaruri hai ke oos ka massah kare, siwaayeh iske keh log yehh kahein ke tayyamum se faarigh ho chuka ha. Maslan is shakhs ne koi aisa kaam kiya ho jis ke liye tahaarat shart hai yaa tassalsal khatm ho gaya ho-
704. Jis shakhs ka fariza tayyamum ho agar woh namaaz ke poore vaqt mein guzar ke khatm hone se ma'yus ho ya oose is baat ka ehtemaal ho ke agar tayamum mein taakhir karegaa to vaqt daakhil hone ke ba'ad tayyamum na kar sakegaa to aisa shakhs vaqt daakhil hone se pehle bhi tayyamum kar sakta hai aur agar oosne kisi dusre waajib ya mustahab kaam ke liye tayyamum kiya ho aur namaaz ke vaqt tak ooska uzr baaki ho to oosi tayyamum ke saath woh naaz padh sakta hai-
705. Jis shakhs ka fariza tayyamum ho agar oose ilm ho ke aakhir vaqt tak ooska uzr baaki rahegaa yaa woh uzr ke khatm hone se maayus ho to vaqt ke was'ii hote hue tayyamum ke saath namaaz padh sakta hai-laikin agar woh jaanta ho ke aakhir vaqt tak ooska uzr ddor ho jaayegaaa to intezaar kare aur wuzu ya ghusl karke namaaz padhe- balki agar woh aakhir vaqt tak guzar ke khatm hone se bhi maayus na ho to maayus hone se pehle tayyamum kar ke namaaz nahi padh sakta-siwaayeh ooske key eh ehtemaal ho ke agar tayyamum karke jaldinamaaz na padhi to phir vaqt khatm hone tak hatta ke tayyamum karke namaaz na padh paayehga-
706. Agar koi shakhs wuzu ya ghusl na kar sakta ho aur woh uzr ke bar taraf hone se maayus ho to woh apni qaz'a namaazein tayyamum ke saath padh sakta hai –laikin agar ba'ad mein uzr khatm ho jaaye to ehteyaat-e waajib yehh ke woh namaazein wuzu ya ghusl karke dobaara

padhe aur agar uzr door hone se mayusi na ho to ehteyaat-e-laazim ki bina par qaz'a namaazon ke liye tayyamum nahi kar sakta-

707. Jo shakhs wuzu ya ghusl na kar sakta ho to oos ke liye jaayez hai ke jin mustahab namaazon ka vaqt mu'ayyan hai jaise din raat ki nawaafil, tayyamum karke padhe laikin agar maayus na ho ke aakhir vaqt tak ooska uzr door ho jaayegaa to ehteyaat-e-laazim hai ke woh namaazein oonke awwal vaqt mein na padhe aur jin mustahab namaazon ka vaqt mu'ayyan nahi hai oonhein mutlaqan tayyamum ke saath padh sakta hai-

708. Jis shakhs ne ehteyaatan jabirah ghusl aur tayyamum kiya ho woh agar ghusl aur tayyamum ke ba'ad namaaz padhe aur namaaz ke ba'ad oose hadase asghar saadir ho jaaye to zaruri hai ke oos namaaz ke liye bhi wuzu kare

709. Agar koi shakhs paani na milne ki wajah se ya kisi aur uzr ki bina par tayyamum kare to uzr ke khtm ho jaane ke ba'ad osska tayyamum baatil ho jaata hai-

710. Jo cheezein wuzu ko baatil karti hai woh wuzu ke badle kiyeh kiyeh hue tayyamum ko bhi baatil karti hainaur jo cheezein ghusl ko baatil karti hai woh ghusl ke badle kiyeh hue tayyamum ko bhi baatil karti hai-

711. Agar koi shakhs ghusl na kar sakta ho aur oospar chand ghusl waajib ho to ooske liye jaayez hai ke oon tamaam ghuslon ke badle ek tayamum kar le aur ehteyaat-e-mustahab yehh hai ki oon ghuslon mein se har ek ke badle ek tayyamum kare-

712. Jo shakhs ghusl na kar sakta ho agar woh aisa kaam anjaam dena chaahe jis ke liye ghusl waajib ho to zaruri hai ke ghusl ke badle tayyamum kare aur jo shakhs wuzu na kar sakta ho agar koi aisa kaam anjaam dena chaahe jis ke liye wuzu karna waajib ho to zaruri hai ke wuzu ke badle tayyamum kare

713. Agar koi shakhs ghusl-e-janabat ke badle tayyamum kare to namaaz ke liye wuzu karna zaruri nahi hai-isi tarah agar kisi aur ghusl ke badle tayyamum kare to bhi yahi hukm hai laikin is surat mein ehtiya-e-mustahab yehh hai ke wuzu bhi kar le aur agar woh wuzu na kar sake to wuzu ke badle ek aur tayyamum kare-

714. Agar koi shakhs ghusl ke badle tayyamum kare aur ba'ad mein oose kisi aisi surat se do chaar hone pade jo wuzu ko baatil kar deti ho aur ba'ad ki namaazon ke liye ghusl bhi na kar sakta ho to zaruri hai ke wuzu kare aur ehteyaat-emuatahab hai ke tayyamum bhi kare- agar wuzu na kar sakta ho towuzu ke badle tayyamum kare-

715. Jis shakhs ka farizaa tayyamum ho agar woh kisi aur kaam ke liye tayyamum kare to jab tak ooska tayyamum aur uzr baaki hai woho on kaamon ko kar sakta hai jo wuzu ya ghusl kar ke karna chahiyeh-laikin agar ooska uzr vaqt ki tangi ho yaa oosne paani hote hue namaaz-e mayyat ya soone ke liye tayyamum kiya ho to woh faqat oon kaamon ko anjaam de sakta hai jin ke liye oosne tayamum kiyaa tha-

716. Chand surton mein behtar hai keh namaazein insaan ne tayamum ke saath padhi ho oon ki qaz'a kare :

1) Paani ke istemaal se darta ho aur oosne jaan bhooj ke apne aap ko joonoob kar liya ho aur tayyamum karke namaaz padhi ho-
2) Yehh jaante hue ya gumaan karte hue ke oose paani na mil sakegaa amdan apne aapko joonoob kar liya ho aur tayyamum karke namaaz padhi ho –
3) Akhir vaqt tak paani ki talaash mein na jaaye aur tayyamum karke namaaz padhe aur ba'ad mein oose pata chale ke agar talaash karta to paani mil jaata-
4) Jaan bhoojh ke namaaz padhne mein taakhir ki ho Aur aakhir vaqt mein tayyamum karke mamaaz padhi ho-

5) Yehh jaante hue ya gumaan karte hue ke paani nahi milega jo paani ooske paas tha oose gira diya ho aur tayyamum kar ke namaaz padhe-

Namaaz ke Ehkaam

Namaaz deeni aamal mein se behtar amal hai-agar yeh baarghaahe Ilaahi mein qabool ho gayi to baaki saari iba'adat bhi qabool ho jaayegi aur agar yeh qabool na hui to dusre amaal bhi qubul na honge-jis tarah insaan din mein paanch daf'a neher mein nahaayeh dhooyeh to oose ke badan par meil kuchail nahi rehti oosi tarah paanch vaqt namaaz bhi insaan ko goonaah se paak kar deti hai aur behtar hai ke insaan awwal-e-vaqt par namaaz padhe-jo shakhs namaaz ko maa'muli aur ghair ahem samjhe woh oos shakhs ki maanind hai jo namaz na padhta ho-

Huzoor nabi-e-karim sallalaaho alehe wa aalihi wasallam ka irshaade giraami hai: jo shakhs namaaaz ko ehmiyat na de aur oose m'amuli cheez samjhe woh aakherat mein azaab ka mustaheq hai-

Ek din aap sallalaho alaihe waaalehi wasallam massjid mein tashreef farmaa the k eek shakhs massjid mein daakhil hua aur namaaz padhne mein masshghool ho gaya laikin ruku aur sujood mukkamal taur par na baja laaya-oospar aap sallalaho alaihe wa aalehi wasallam ne farmaya "agar yehh shakhs is haalat mein mar jaaye jabki ooski namaaz padhne ka tariqa hai to yehh hamaare deen par nahi marega" Pas insaan ko khayaal rakhna chahiyeh ke namaaz jaldi jaldi na padhe aur namaaz ki haalat mein khuda ki yaad mein raheaur khushu aur khuzu aur waqar aur yaksooi se namaaz padhe aur yehh khayaal rakhe ke kisi hasti se se kalaam kar raha hai aur apne aaapko khuda wande aalim ki azmat aur buzurgi ke muqable mein haqeer aur naacheez samjhe-agar insaan poaari tarah in baaaton ki taraf muuawjjeh rahe woh apne aap se bekhabar ho jaatahai jaise ki namaaz ki haalat mein hazrat-e-ammerul momineen imam Ali alaihis salaam ke paao se teer kheech liya gaya aur aap ko khabar tak na hui-a'lawa aze namaaz padhne waale ko chahiyeh ke woh tauba ,astaghfaar kare aur na sirf oon goonaaho ko jo namaaz qabool hone mein maaane hote ho-maslan hasad ,takkabur,ghibat ,haraam khana ,sharaab peena aur khums aur zakaat ka na ada karna-tark kare balke tamaam goonaah trak kar de-niz behtar hai ke jo kaam namaaz ka sawaab ghataayeh woh kaam na kare-maslan oongne ki haalat mein ya peshhab rok kar khade na ho aur namaaz namaaz ke mauke par aasmaan ki taraf na dekhe aur woh kaam kare jo namaaz ka sawab badhaata haimsalan aqiq ki anghoothi ya paakeeza libaas phenna khanghi aur miswaak karna uar khushboo lagana-

Waajib Namazein

Cheh namaazein waajib hain

1) Rozana ki namaazein
2) Namaaz-e-aayaat
3) Namaaz-e-mayyat
4) Khana-e-ka'ba ki waajib tawa'f ki namaaz
5) Baap ki qaz'a namaazein jo ehteyaat ki bina par bade bete par waajib hain
6) Jo namaazein ijaara, mannat, qasam ya ahad se waajib ho jaati hain

Namaaz-e-jummah rozaana ki namaazon mein se hai-

Rozana ki waajib Namaazein

Rozana ki waajib namaazein paanch hain:
Zohur aur asr(har ek chaar rakat ki) maghrib(teen rakat) ish'a(chaar rakat) aur fajr(do rakat)-
717. Insaan safar mein ho to zaruri hai ke chaar

Zohur aur asr ki namazo ka vaqt

718. Zohur aur asr ki namaaz ka vaqt zawaal-e-aaftab (Zohur shara'ee) ke ba'ad se ghuroob-e-aaftaab tak hai laikin agar koi shakhs jaan bhoojh ke asr ki namaaz Zohur ki namaazse pehle padhe to ooski asr ki namaaz baatil hai siwaayeh oos ke keh vaqt ki aakhir tak ek namaaz padhne se zayada vaqt baaki na ho kyoonki aisi surat mein agar oosne Zohur ki namaaz na padhi ho to ooski Zohur ki namaaz qaz'a hogi aur zaruri hai ke asr ki namaaz padhe aur agar koi shakhs oos se pehle ghalatfehmi ki bina par asr ki poori namaaz Zohur se pehle padh le to ooski namaaz sahihai aur zaruri hai ke phir Zohur ki namaaz padhe-ehteyaat-e-mustahab yehh hai ki ba'ad mein padhi jaane wali chaar rakat namaaz ko maa'fi zimma ki niyyat se padhe-

719. Agar koi shakhs Zohur ki namaaz se pehle asr ki namaaz padhna shuru kar de aur namaaz ke dauraan oose pata chale ke oosse ghalti hui hai to oose chahiyeh ki niyyat namaaz-e-Zohur ki jaanib mud de yaa'ni niyyat kare ke jo kuch main padh chuka hoon aur padh raha hoon aur padhoonga woh tamaam ki tamaam namaaz-e- Zohur hai aur jab namaaz khtam kare to phir asr ki namaaz padhe-

Namaaz-e-jummah aur ooske ehkaam

720. jummah ki namaaz subh ki namaaz ki tarah do rakat hai-is mein aur subh ki namaaz mein farq yehh hai ki is namaaz se pehle do khutbe bhi hain-jumme ki namaaz waajib-e-takhiri hai-is ke muraad yehh hai ke jumme ke din muqallif ko ikhteyaar hai ke agar namaaz-e-jummah ki sharaaa'et maujood ho to jummah ki namaaaz padhe ya Zohur ki namaaz padhe lehaaza agar insaan jummah ki namaaz padhe to woh Zohur ki namaaz ki kifaayat karti hai(yaa'ni phir Zohur ki namaaz padhna zaruri nahi)-

jummah ki namaaz waajib hone ki chand shara'et:

1) Vaqt ka daakhil hona ke jo zawwal-e-aaftaab hai aur is vaqt ka awwal-e-zawaalarfi hai-pas jabbhi oose taakhir ho jaaye,ooska vaqt kahtm ho jaata hai aur phir zaruriheke Zohur ki namaaz ada kare-
2) Namaaz padhne waalo ki taadaad jo ke majmayeh imam paanch afraad hain aur jab tak paanch mualmaan ikkhatthe na ho jummah ki namaaz waajib nahi hai-
3) Imaam ka jaa'ma'e sharaa'et imamat hona maslan adalat waghyrah jo ke imam-e-jamaa'at mein mo'tabar hain aur namaaz-e-jamaa'at ki be'hes mein bataya jaayegaa-agar yehh shart poori na ho to jummah ki namaaz waajib nahi hoti-

Jumme ki namaaz ke sahi hone ki chand shara'et:

1) Baa jamaat padha jaana- pas yehh namaaz furaada ada karna sahi nahi hai aur jab maqtadi namaaz ki dusri rakat ke ruku se pehle imam ke saath shaamil ho jaaye to ooski namaaz sahi hai aur ooske ba'ad who ek rakar furaadi bhi padh legaa aur agar who dusri rakat ke ruku mein shamil hua ho to ehteyaat-e-waajib ki bina par oos namaaz-e-jummah par iktefa nahi kar sakta aur zaruri hai ke Zohur ki namaaz padhe
2) Namaaz se pehle do khutbe padhna-pehle khutbe mein khateeb Allah ta'ala ki hamd-o-sana bayaan kare niz namaaziyon ko taqwa aur parezgaari ki talqeen kare aur quran-e-majeed ka ek chota surah padhe aur dusre khutbe mein ek baar phir Allah ki hamd-o-sana baj'aa laayeh –phir Hazrat Rasool-e-akram sallaho waaalehi wasallam aur Aimmah-e-muslemeen alaihis salaam par durood bheje aur ehteyaat-e-mustahab yehh hai ke momineen aur mominaat ke liye astaghfaar (bakshish ki dua) kare-zaruri

hain ke khutba namaaz se pehle padhe jaaye-pas agar namaaz do khutbo se pehle shuroo kar li jaaye to sahi nahi hogi aur zawaal-e-aaftaab se pehle khutbe padhne mein ishkaal hai aur zaruri hai ke jo shakhs kahutbe padhe woh kahutbe padhne ke vaqt khada hi-lehaaza agar who bheth kar khutba padhe to sahi nahi hoga aur do khutbo ke darmiyaan bethkar faaasla dena laazim hai jo ke zaruri hai ke chand lamho ke liye ho-yehh bhi zaruri hai ke imam-e-jamaa'at hi khutba padhe-ehteyaat ki bina par zaruri hai ki Allahtaa'la ki hamd-o sana ,isi tarah Pyghmbar-e-akram sallalao alaehe wa aalehis sallam aur Aimmah-e-muslemeen alaihis salaam par durood arbi zabaan mein hoaur oosse mein arbi mo'tabar nahi hai balki agra hazereen ki aksariyat arbi na jaanti ho to ehteyaat-e-laazimyehh hai ke bataur-e-khaas taqwa k baare mein waaz-o-nasihat jo zabaan haazereen jaante hain oosi mein taqwe ki nasihat de-

3) Yeh ki jummah ki do namaazon ke darmiyaan ek farsakh se kam faasla na ho. Pas jab jummah ki namaaz ek faesakh se kam faasle par qaayam ho aur do namaazein ba-ek vaqt padhi jaaye to dono baatil hongi aur agar ek namaaz ko dusri par sabqat haasil ho khwha woh takbeeratul ahraam ki had tak hi kyoon na ho woh(namaaz jise sabqat haasil ho)sahi hogi aur dusri baatil hogi-laikin agar namaaz ke ba'ad pata chale ke jumme ki namaaz ek farsakh se kam faasle par jummah ki ek aur nmaaz oos naamaaz se pehle yaa oos namaaz ke saath saath qaayam hui thi to Zohur ki namaaz kbaja laana waajib nahi hogi-jumme ki namaaz ka qayam karna mazqur'aah faasle ke andar jumme ki dusri namaaz qaayam karne meinoos vaqt maaane hota hai jab who namaaz khud sahi aur jaam'e shara'et ho aur agar aisa na ho to phir yehh jaamaa't maaane nahi hoti-

721. Jab jumme ki ek aisi namaaz qaayam ho jo sharaa'et ko poora karti ho aur woh namaaz qaayam karne wala imam-e-vaqt ya ooska naa'eb-e-khaas ho to oos surat mein namaaz-e-jummah mein haazir hona waajib hai-is surat ke alawaq haazir hona waajib nahi hai-pehli surat mein bhi chand afraad par namaaz mein shirkat waajib nahi hai-

1) Aurat
2) Ghulaam
3) musaafir,chaahe woh musaafir aisa ho jiki zimmedaari poori namaaz padhna ho jaise woh musafir jisne kisi maqaam par das din theherne ka iraada kiya ho-
4) Bimaar,naabeena aur bhoodhe afraad-
5) Woh afraad jin ke liye jumme ki namaaz mein baarish ya sakht sardi ki wajah se haazir hona zehmat ya takleef ka baa'es ho-

722. Namaaz-e –jummah ke chand ehkaam yehh hain:

1) Is booniyaad par ki ghaibat ke zamaane mein namaaz-e-jummah waajib-e-aini nahi hai ,insaan awwal-e-vaqt mein mubtela taakhir Zohur ki namaaz padh sakta hai-
2) Imam ke khutbe ke dauraan baatein karna makruh hai laikin agar baaaton ki wajah se khutba soonne mein rukawat ho to ehteyaat ki bina par baatein karna jaa'yehz nahi hai-
3) Ehteyaat ki bina par dono khutbon ka soonna waajib hai laikin ji log khutbon ke maa'ni na samajhte hon oonke liye soonna waajib nahi hai-
4) Jab imam-e-jummah khutba padh raha ho to haazir hona waajib nahi hai-

Maghrib aur Isha ki namaaz ka vaqt

723. Agar shak hoke suraj ghuroob hua hai ya nahi aur is baat ka ehtemaal hp ke surayj pahaado,imaaraton aur darakhton ke peeche chup gaya hai to zaruri hai ke jab tak masshriq ki taraf se surkhi jo suraj ghurrob hone ke ba'ad namudaar hoti ahi,insaan ke sar ke uupar se na guzar jaaye,maghrib ki namaaz na padhe balki agar shak na ho tab bhi ehteyaat—e waajib ki bina par zaruri hai mazkurh watq yak sabr kare-

724. Maghrib aur isha ki namaaz ka vaqt mukhtaar shakhs ke liye aadhi raat tak rehta hai laikin jin logo ko uzr ho maslan bhool jaane ki wajah se yaa neend ya haiz yaa oon jaise dusre oomur ki wajah se aadhi raat sepehle namaaz na padh sake hon to oon ke liye maghrib aur isha ka vaqt fajr tulu hone tak baaki rehta hai laikin oon dono namaazon ke darmiyaan mutawajjeh hone ki surat mein tarteeb mo'tabar hai yaa'ni isha ki namaz ko pehle padhe

725. Agar koi shakhs ghalatfehmi ki bina par isha ki namaaz maghrib ki namaaz se pehle padh le aur namaaz ke ba'ad oos amt ki jaanib mutawajjeh ho to ooski namaaz sahi hai aur zaruri hai ke maghrib ki namaaz oMaghrib aur isha ki namaaz ka vaqt mukhtaar shakhs ke liye aadhi raat tak rehta hai laikin jin logo ko uzr ho maslan bhool jaane ki wajah se yaa neend ya haiz yaa oon jaise dusre oomur ki wajah se aadhi raat sepehle namaaz na padh sake hon to oon ke liye maghrib aur isha ka vaqt fajr tulu hone tak baaki rehta hai laikin oon dono namaazon ke darmiyaan mutawajjeh hone ki surat mein tarteeb mo'tabar hai yaa'ni isha ki namaz ko jaan bhoojh ke maghrib ki namaaz se padhe to baatil hai-laikin agar isha ki namaaz ada karne ki miqdar de zayada vaqt baaki na raha ho to oos surat mein laazim hai ki isha ki namaaz maghrib ki namaaz se pehle paoske ba'ad padhe-

726. Agar koi shakhs maghrib ki namaaz bhool kar isha ki namaaz padhna mein masshghool ho jaaye aur namaaz ke dauraan oose pata chale ke oosne gahlti ki hai aur abhi who chuathi rakat ke ruku tak na pahooncha ho to zaruri hai ke maghrib ki namaaz ki taraf niyat pher le aur namaaz kio tamaam kare aur ba'ad mein isha ki namaaz padhe aur agar chauthi rakat ke ruku mein jaa chuka ho to yehh kar sakta hai ke oose isha ki namaaz karaar dekar oos namaaz ko khatm kare aur ba'ad mein maghrib ki namaaz bajaa laayeh-

727. Isha ki namaaz ka vaqt mukhtaar shakhs ke liye aadhi raat tak hai aur raat ka hisaab suraj tulu hone ki a'itbaar se tulu-e-fajr tak hai

728. Agar koi shakhs ikhtiyaari haalat mein maghrib aur isha ki namaaz aadhi raat tak na padhe to ehteyaat-e-waajib ki bina par zaruri hai azaan-e-subh se pehle qaz'a aur ada ki niyyat kiyehbaghair namaazon ko padhe

Subh ki namaaz ka vaqt

729. Subh ki azaan ke kareeb masshriq ki taraf se ek safedi uupar uthti hai jise fajr-e-awwal kaha jaata hai –jab yehh safedi phail jaaye to fajr-e-duwwam aur subh ki namaaz ka awwal vaqt aur subh ki namaaz ka aakhri vaqt suraj nikalne tak hai-

Auqaat-e-namaaz ke ehkaam

730. Insaan namaaz mein oos vaqt masshgool ho sakta heka jab oose yakeen ho jaaye je vaqt daakhil ho gaya hai ya do aadil mard vaqt daakhil hone ki khabar de balki kisi ki azaan ya gawohi par bhi iktefa kiya jaa sakta hai jis ke baare mein muqallif jaanta ho key eh vaqt kq badi shiddat se kahyaal rakhta hai jab ki ooski baat par itminaan bhi aa jaaye-

731. Agar koi shakhs kisi fardi rukawat maslan binaa'yi na hone ya qaid khaane mein hone ki wajah se namaaz ka awwal vaqt dakhil hone ka yakeen na kar sakta ho to zaruri hai ke namaaz padhne mein taakhir kare haat ke oose yakeen ya itmenaan ho jaaye ke vaqt daakhil ho gaya hai-isi tarah agra vaqt daakhil hone ka yakeenhone mein aisi cheez maaane ho jo amoomi ho maslan ba'adal ya ghubaar waghairah to ehteyaat-e-laazim ki bina par ooske liye bhi yahi hukm hai-

732. Agar mazkurah baala kisi tariqe se kisi shakhs ko itmenaan ho jaaye ke namaaz ka vaqt ho gaya aur woh namaaz mein msahghool ho jaaye laikin namaaz ke vaqt oose pata chale ke abhi vaqt daakhil nahi hua hai to ooskinamaaz baatil hai aur agar namaaz ke ba'ad pata chale ke oosne saari namaaz vaqt se pehle padhi hai to ooske liye bhi yahi hukm hai-laikin agar namaaz ke dauraan oose pata chale ke vaqt daakhil ho gaya hai ya namaaz ke bad pata chale ke namaaz padhte hue vaqt daakhil ho gaya tha to ooski namaaz sahi hai-

733. Agar koi shakhs oos amr ke jaanib muttawajjeh na ho ke vaqt daakhil hone ka yakeen karke namaaz mein masshghool hona chaahe laikin namaaz ke ba'ad oose m'aloom ho ke oosne saari namaaz vaqt mein padhi hai to ooski namaz sahi hai aur agar oose yehh pata chal jaaye ke oosne vaqt se pehle namaaz padhi hai to ooski namaaz baatil hai balki agar namaaz ke ba'ad pata chale ke namaaz ke dauraan vaqt daakhil ho gaya tha tab bhi zaruri hai ki oss naaz ko dobaara padhe-

734. Agar kis shakhs ko yakeen ko ke vaqt daakhil ho gaya hai aur namaz padhne lage laikin namaaz ke dauraan sahk kare ke vaqt daakhil hua hai ya nahi to ooski namaaz baatil hai-laikin agar namaaz ke dauraan oose yakeen ho gaya ho ke vaqt daakhil ho gaya hai aur shak kare ke jitni namaaz padhi hai woh vaqt mein padhi hai ya nahi to ooski namaaz sahi hai-

735. Agar namaaz ka vaqt itna tang ho ke namaaz ke baaz mustahab af'aal ada karne se namaaz ki kuch miqdar vaqt ke ba'ad phadni padti ho to zaruri hai ke woh mustahab oomur ko chod de-maslan agar qoonot padhne se namaaz ka kuch hissa vaqt ke ba'ad pahdna padta ho to zaruri heke qoonut na padhe aur agar phir bhi qoonut padh le to oosi surat mein namaaz sahi hogi jab kam az kam ek rakat namaaz ka vaqt mein padhi gayi ho.

736. Jis shakhs ke paas namaaz ki faqat ek rakat ad karne ka vaqt ho oose chahiyeh ki namaaz ada ki niyaat se padhe,albatta oose jaan bhoojh ke itni taakhir nahi karni chahiyeh.

737. Jo shakhs safar mein na ho agar ooske paas ghuroob-e-aaftaab tak paanch rakat namaaz padhne keh andaaze ke mutabiqvaqt ho to ose chahiyeh ke Zohur aur asr ki dono namazein padhe laikin agar ooske paas oose kam vaqt ho to zaruri hai ke sirf asr ki namaaz padhe aur ba'ad mein Zohur ki namaaz ki qaz'a kare aur phir isi tarah agar aadhi raat tak ooske paas paanch rakat namaaz padhne ke andaaze ke mutabiq vaqt ho to oose chahiyeh ke maghrib aur isha ki namaaz padhe aur agar vaqt oosse kam ho to zaruri hai ke sirf isha ki namaaz padhe aur ba'ad mein ada aur qaz'a ki niyyatv kare baghair maghrib ki namaaz padhe.

738. Jo shakhs safar mein ho agar ghuroob-e-afftaab tak ooske paas teen rakat namaaz padhne ke andaaze ke mutabiq vaqt ho to oose chahiyeh ke Zohur aur asr ki namaazein padhe aur agar oose kam vaqt ho to zaruri hai ke sirf asr ki namaaz padhe aur ba'ad mein namaaz-e-eZohur ki qaz'a kare aur agra aadhi raat tak ooske paas chaar rakat namaaz padhne ke andaaze ke mutabiq vaqt ho to oose chahiyeh ke maghrib aur isha ki namaaz padhe aur agar namaaz ke teen rakat ke barabar vaqt baaki ho to zaruri hai ke isha ki namaaz padhe aur ba'ad mein maghrib ki namaaz baja'aa laayeh taaki namaaz-e-magrib ki ek rakat vaqt mein anjaam di jaaye aur agar namaaz ki teen rakat se kam vaqt baaki ho to zaruri hai ke pehle isha ki namaaz padhe aur ba'ad mein maghrib ki namaaz ada aur qaz'a ki niyyat ke baghair padhe aur agar isha ki namaaz padhne ke ba'ad maa'lum ho jaaye keh aadhi raat hone mein ek rakat ya oose zayada rakatein padhne ke liye vaqt hai to oose chahiyeh ke maghrib ki namaz fauran ada ki niyyat se baja laayeh.

739. Insaan ke liye mustahab hekeh namaaz awwal-e-vaqt par padhe aur iske muttalik bohot zayada taaqid ki gayi hai aur jitna awwal-e-vaqt ke kareeb ho to behtar hai siwaayeh ooske keh oss mein taakhir kisi wajah se behtar ho, maslan is liye thoda sa intezaar kar ke namaaz jama'at ke saath padhe.

740. Jab insaan ke paas koiais uzr ho keh agar awwal-e-vaqt par namaaz padhna chaahe to tayyamum karke namaaz padhne par majboor ho to ,is surat mein agar woh aakhir vaqt tak uzr ke door hone se mayoos hoya is baat ka ehtemaal ho ke agar kotaahir ki to phir tayyamum bhi na lar paayehga to awwal-e-vaqt par tayyamum karke namaaz padh sakta hai .laikin agar mayoos na ho to zaruri hai ke itna intezaar kare ke ooska uzr door ho jaaye ya uzr ke door hone se mayoos ho jaaye aur agar oos baat ka uzr door na ho to aakhir vaqt mein namaaz padhe aur yehh zaruri nahi hai ke is qadr intezaar kare ke namaaz ke sirf waajib af'aal anjaam de sake balke agar ooske paas mustabaat-e-namaaz maslan ,azaan,iqaamat aur qoonoot ke liye bhi vaqt ho to woh tayyamum karke oon mustahabaat ke saath namaaz ada kar sakta hai aur tayyamum keh a'lawa dusri majbooriyon ki surat mein agarche uzr door hone ki surat mein ma'yoos na ho ooske ke liye ja'aez hai ke awwal-e-vaqt par namaaz padhe.laikin agar vaqt ke dauraan ooska uzr door ho jaaye to baaz surton mein zaruri hai ke dobaara namaaz padhe.

741. Agar ek shakhs namaaz ke massa'el ka ilm na rakhta ho aur oon ko seikhe baghair namaaz ki ada'egi par qudrat na rakhta ho ya oose namaz ki shakkiyaat ya sahu'liyaat ka ilm na ho aur oose is baat ka ehtemaal ho ke dauraan oon massa'el mein se koi na koi massla pesh aayehga aur ooske na seekhne ki wajah se kisi waajib ki mukhalifat ya kisi haraam artakab karna padega to zaruri hai ke oose seekhne ke liye namaaz ko awwal-e-vaqt se mua'khar karde.laikin agar is umeed par ke namaaz ko sahi taiqe se anjaam de legaa awaal-e-vaqt mein namaaz padhne mein masshghool ho jayeh.pas agar namaaz mein koi aisa massla na pesh kis ka hukm na jaanta ho to ooski namaaz sahi ha.agar koi aisa massla pesh aa jaaye jika hukm na jaanta ho to ooske liye jaay'ez hai keh jin do baaton ka ehtemaal ho oon mein se ek ke mutabiq is ummeed par kare keyahi ooski zimmedaari hogi uar namaaz khatm kare taa'ham zaruri hai ke namaaz ke ba'ad massla pooche aur ooski namaaz baatil saabit ho to dobaara padhe aur agar sahi ho to dobaara padhna laazim nahi hai.

742. Agar namaaz ka vaqt wa'see ho karz khwoha bhi apne karz ka muta'le'a kar raha ho to agar mumkin ho to zaruri hai ke pehle karz ada kare aur ba'ad mein namaaz padhe aur gar koi aisa dasra waajib kaam pesh aa jaaye jise fauran ba'jaa laana zaruri ho to osske liye bhi yahi hukm hai.maslan agar dekhe ke massjid najis ho gayi haito zaruri hai ke pehle massjid ko paak kare aur ba'ad mein namaaz padhe aur agar mazkurah baala dono surton mein pehle namaaz padhe to goonaah ka martakab hoga laikin ooski namaaz sahi hogi

Woh namaaz jo tarteeb se pahdni zaruri hai

743. Zaruri hai ke insaan namaaz-e-asr Zohur ke ba'ad aur namaaz-e-isha maghrib ke ba'ad padhe.agar jaan bhoojh ke namaaz-e-asr Zohur se pehle aur namaaz-e-isha maghrlb se pehle padhe to ooski namaaz baatil hai.

744. Agar koi shakhs namaaz-e-Zohur ki niyyat se namaaz padhna shuru kare aur naamaz ke dauraan oose yaad aayeh ke namaaz-e-Zohur padh chuka hai to woh niyyat ko asr ki jaanib nahi mod sakta balke zaruri hai ke namaaz tod kar namaaz-e-asr padhe aur maghrib aur isha ki namaaz mein bhi yahi surat hai.

745. Agar namaaz-e-asr ke dauraan kisi shakhs ko yakeen ho ke oosne namaaz-e-Zohur nahi padhi hai aur woh niyyat ko namaaz-e-Zohur ki taraf mod de to to jo hi oose yaad aayeh ke woh namaaz-e-Zohur padh chuka hai to is surat mein ke oosne namaaz ke baaz aj'zaa ko Zohur ki namaaz ki niyyaat se diya ho laikin oon aj'zaa k oars ki niyyat se dobaara anjaam de de to woh niyyat ko dobara asr ki taraf modkar namaaz ko mukaamal kar sakta hai.laikin agar woh juz ek rakat mein ho phir to har surat mein namaaz baatil hai ,

746. Agar kisi shakhs ko namaaz-e-asr ke dauraan shak ho ke oosne naamaaz-e-Zohur padhi hai ya nahi to zaruri heke asr ki niyyat se namaaz tammam kare aur ba'ad mein Zohur ki namaaz

padhe laikin agar vaqt itna kam ho ke namaaz padhne ke ba'ad suraj doob jaata ho aur ek rakat namaaz ke liye bhi vaqt baaki na bachta ho to laazim nahi hai ki Zohur ki namaz qaza padhe.
747. Agar kisi shakhs ko isha namaz ke dauraan shak ho jaaye ke oosne maghrib ki namaaz padhi hai ya nahi to zaruri hai ki isha ki niyyat se namaaz khatm kare aur ba'ad mein maghrib ki namaaz padhe laikin agar vaqt itna tang ho ki namaaz khatm hone ke ba'adaadhi raat ho jaati ho aur ek rakat namaaz ka vaqt bhi na bachta ho to namaaz-e-maghrib ki qaza oos par laazim nahi hai.
748. Agar koi shakhs isha ki chauthi rakatke rujku ke ba'ad shak kare ke oosne namaaz-e-maghrib padhi hai ya nahi to zaruri hai ke namaaz mukkamal kare aur ba'ad mein maghrib ki namaaz ke liye vaqt baaki ho to maghrib ki namaaz padhe
749. Agar koi shakhs koi aisi namaaz jo oosne padh li ho ehteyaatan dobaara padhe aur namaaz ke dauraan oose yaad aayeh ke oos namaaz se pehle wali namaaz nahi padhi hai to woh niyyat oos namaaz ki taraf nahi mod sakta.maslan jab woh namaaz-e-asr ehteyaatan padh rah ho aur oose yaad aayeh ke oosne namaaz-e-Zohur nahi padhi to woh niyyat ko namaaz-e-Zohur ki taraf nahi mod sakta.
750. Namaaz qaza ki niyyat ada ki taraf aur namaaz-e-mustahab ki niyyat namaaz-e-waajib ki taraf modna ja'ayehz nahi hai.
751. Agar ada namaaz ka vaqt wa'see ho to insaan namaaz ke dauraan yehh yaad aane par keh ooske zimme koi qaza namaz hai, niyyat ko namaaz-e-qaza ki taraf mod sakta hai.basharte yehh ke namaaz-e-qaza ki taraf niyyat modna mumkin ho, maslan agar woh namaaz-e-Zohur mein masshghool ho to niyyat ko qaza-e-subh ki taraf oosi surat mein mod sakta hai ke teesri rakat ke ruku mein daakhil na hua ho.

Mustahab Namazein

752. Mustahab namaazein bohot si hain jinhe nafil namaazein bhi kah jaata hai.mustahab namaazon mein se rozana ki nafil namaazon ki bohot zayada taaqid ki gayi hai.yehh namaazein roz-e-jumme ke a'lawa 34 rakat hain jin mein se 8 rakat Zohur ki,8 rakat asr ki,4 rakat maghrib ki aur 2 rakat isha ki,11 rakat namaaz-e-shab(ya'ni tahhajjud) ki aur do rakat subh ki hoti hai aur choonki ehteyaat –e-waajib ki bina par isha ki do rakat baith kar padhni zaruri hai. Is liye woh ek rakat shumaar hoti hai. Behtar hai keh yehh poori poori 20 rakatein zawaal se pehle padhi jaaye. Siwaayeh do rakat ke jinka zawaal ke vaqt padha jaana behtar hai .
753. Namaaz-e-shab ki 11 rakaton mein se 8 rakatein , naafila-e-shab ki niyyat se do rakat namaaz-e-shifa ki niyyat se aur ek rakat namaaz-e-witr ki niyyat padhni zaruri hai aur namaaz-e-shab ka mukkamal tarika dua ki kitaabo mein mazkoor hai.
754. Nafil namaazein haalaat-e-ikhteyaar mein bhi baith kar padhi jaa sakti hai aur yehh bhi zaruri nahi hai keh do rakaton ko ek rakat samjha jaaye albattabehtar hai ke oonhein khade reh kar phadein.zaruri hai ke namaaz-e-isha ki nawaafil ehyiyaat-e-waajib ki bina par baith kar padhe.
755. Zohur aur asr ki nawaafil safar mein nahi padhni chahiyeh aur agar isha ki nawaafil ra'ja ki niyyat se padhe jaaye to koi harj nahi hai.

Rozaana Ki Nawafil Ka Vaqt

756. Zohur ki nafil Zohur se pehle padhi jaati hai. Ooska vaqt awwal-e-Zohur se hai aur oos vaqt tak baaki rehta hai jab tak oose namaaz-e-Zohur tak ada karna mumkin ho.laikin agar koi shakhs Zohur ki nafil os vaqt taj mua'khir kar de ke shakhis ke saayeh ki woh miqdar jo Zohur ke ba'ad paida ho saat mein se do hisso ke barabar ho jaaye. Maslan shakhis ki lamba'yi saat

baalisht ho aur saaya ki miqdar do baalist ho to is surat mein behta yeh hai Zohur ki namaaz nafil se pehle padhe siwaayeh iske keh oos vaqt tak nafil ki ek rakat mukkamil kar chuka ho ke is surat mein nafil ko pehle mukkamil karna chahiyeh.
757. Asr ki nafil, asr ki namaaz se pehle padhi jaati hai. Aur jab tak mumkin ho oose asr ki namaaz se pehle padha jaaye ooska vaqt tab tak baaki rehta hai jab tak oose namaaa asr se pehle ada karna mumkin ho. Laikin agar koi shakhs asr ki nafilein oos vaqt tak muakkhir kar de ke shakhis ke saayeh ki woh miqdar jo Zohur ke baad paida ho saat mein se chaar hisso tak pohoonch jaaye to oos surat mein behtar hai ke insane asr ki namaaz naafila se pehle padh le siwaayeh oos surat mein jiska tazkerah pichle massle mein kiya gaya hai.
758. Maghrib ki nafilaa ka vaqt maghrib ki namaaz khatm hone ke ba'ad hota hai aur jahan tak mumkin hooose maghrib ki namaaz ke vaqt ke andar anjaam de diya jaaye. Laikin agar koi shakhs oos surkhi ke khatm hone tak jo suraj ke ghuroon se se aasmaan mein dikhaayi deti hai maghrib ki namaaz mein taakhir kare to oos vaqt behtar yehh hai ke pehle isha ki namaaz padhe
759. Isha ki nafilaa ka vaqt namaaz khatm hone ke ba'ad se aadhi raat tak hai aur behtar hai ke namaz-e-isha khatm hone ke fauran ba'ad padhi jaaye.
760. Subh ki namaaz-e-nafila subh ki namaaz se pehle padhi jaati hai hain aur ooska vaqt namaaz-e-shab ka vaqt shuru hone ke itni deir baad shuru hota hai jis mein namaaz-e-shab ada ki jaa sake aur oos vaqt tak baaaki rehta heke jab tak subh ki namaaz se pehle ooski ada'egi mumkin ho laikin agar koi shakhs subh ki namaaz ki nafilein msahriq ki surkhi zaahir hone tak na pade to oos surat mein behtar yehh hai ke pehle subh ki namaaz padhe.
761. Namaaz-e-shab ka awwal-e-vaqt masshoor kaul ki bina par aadhi raat hai. Yehh agarche ehwat behtar hai laikin ba'eed nahi hai ke oos ka vaqt raat ki ibteda se shuru ho aur subh ki azaan tak baaki rahe aur behtar yehh hai ki subh ki azaan ke kareeb padhi jaaye.
762. Agar koi shakhs oos vaqt bedaar ho jab subh tuloo ho rahi ho to ada aur qaza ki niyyat ke baghair namaaz-e-shab ada kar sakta hai.

Namaaz-e-Ghufaila

763. Mustahab namaazon mein se ek namaaz-e-ghufaila hai jo maghrib aur isha ke darmiyaan padhi jaati hai .is mein pehli rakat mein hamd ke ba'ad kisi dusri surat ke bajaaye yehh aayat padhni zaruri hai : " Wa zannooni iz zahaba mughaziban fazanna an lan naqdira 'alayhi fanada fiz zulumati an la ilaha illa anta subhanaka inni koontu minazzalimin fastajabna lahu wa najjaynahu minal ghammi wa kazalika noonjil mu'minin". Aur dusri rakat mein hamd ke baad bajaaye kisi aur surat yehh aayat padhe : " Wa 'indahu mafatihul ghaybi la ya'lamuha illa huwa wa ya'lamu ma fil barri wal bahri wa ma tasqutu min waraqatin illa ya'lamuha wa la habbatin fi zulumatil arz wa la ratbin wa la yabisin illa fi kitabim mubin. aur ooske qoonut mein yehh padhe : " Alla humma inni as aluka bi mafatihli ghaybil lati la ya 'lamuha illa anta an tusalliya 'ala Muhammadin wa Ale Muhammad wa an taf'al bi.(here one should mention his wishes).

Qible ke ehkaam

764. khana-e-kaaba ka muqaam jo makkah-e-muqarramah mein hai woh hamara qibla hai lehaaza zaruri hai ke ooske saamne kahde ho kar namaaz padhe laikin jo shakhs oosse door ho agar woh is tarah khada hoke log kahein ke qible ki tarah ma'na karke namaaz padh raha hai to kaafi hai aur dusre kaam jo qible ki taraf muh anjaam dene zaruri hain, maslan haiwanaat ko zibah karna, oon ka bhi yahi hukm hai.
765. Jo shakhs khada hokar waajib namaaz padh raha ho zaruri hai ke ooska seena aur pet qible ki taraf ho balke ooska chehra qible se bohut zayada phira hua na hona chahiyeh aur ehteyaat-e-mustahab yehh hai ke ooski paao ki oongliyaan bhi qible ki taraf ho.

766. Jis shakhs ko baith kar namaaz padhni ho to zaruri hai ke ooska seena aur peit namaaz ke vaqt qible ki taraf ho balke ooska chehra bhi qible se zayada phira hua na ho.
767. Jo shakhs baithkar namaaz na padh sake to zaruri hai ke pehlu ke bal yoon lete ke ooske badan ka agla hissa qible ki taraf ho aur jab tak da'ein pehlu ki bal let kar namaaz padhna mumkin ho to ehteyaat-e-laazim ki bina par baa'ein pehlu ke bal let kar namaaz na padhe.agar yehh dono suratein mumkin na ho to zaruri hai ke pet ke bal yoon let ke ooske paao ke talwe qible ki taraf ho.
768. Namaaz-e-ehteyaat, bhoola hua sajda aur bhoola hua tashahhud qible ki taraf muh karke ada karna zaruri hai aur ehteyaat-e-mustahab ki bina par sajdah-e-sahw bhi qible ki taraf karke ada kare.
769. Mustahab namaaz raasta chalte hue aur sawari ki haalat mein padhi jaa sakti hai aur agar insaan oon dono haalaton mein mustahab namaaz padhe to zaruri nahi ke oos ka muh qible ki taraf ho.
770. Jo shakhs namaaz padhna chahe to zaruri hai ke qible ki simt ka taa'een karne ke liye koshish kare take qible ki simt ki simt ka baare mein yakeen ya aisi kaifiyat jo yaken ke hukm mein ho ,maslan aise do aadmiyon ki gawaahi jo his ya oos jaisi kisi cheez ki boonyaab par qible ki simt ki gawaahi de raha ho. Haasil karle aur agar aisa na kar sake to zaruri hai ke musalmaano ki massjid ki mehraab se yaa oon qabron ki ya dusre tariqo se jo gumaan paida ho ooske mutabiq amal kare hatta ke kisi aise faasiq ya kaafir ke kehne par jo science qawa'ed ke zari'eh qible ka rukh pehchaanta ho qible ke baare mein gumaan paida kare to woh bhi kaafi hai.
771. Jo shakhs qible ki simt ke baare mein gumaan kare, agar woh oose qawi tar gumaan paida kar sakta hai to woh apne gumaan par amal nahi kar sakta, maslan agar mehmaan saaheb-e-khana ke kehne par qible ki simt ke baare mein gumaan paida kar le laikin kisi dusre tariqe se zayada qawi gumaan paida kar sakta ho to oose saaheb-e-khana ke kehne par amal nahi karna chahiyeh.
772. Agar kisi ke paas qible ka rukh mutt'ain karne ka koi zariya na ho ya koshish ke bawajood ooska gumaan kisi ek taraf na jaata hoooska kisi bhi taraf muh karke namaaz padhna kaafi hai aur ehteyaat-e-mustahab yehh hai ke agar namaaz ka vaqt wa'se ho to chaaron taraf muh karke namaaz padhe ya'ni chaar baar namaaz padhe.
773. Agar kisi shakhs ko yakeen ya gumaan ho ke qibla do mein se ek taraf hai to zaruri hai ke dono taraf muh karke namaaz padhe.
774. Jo shakhs kai taraf muh karke namaaz padhna chahta ho agar woh aisi do namazein padhna chaahe jo Zohur aur asr ki tarah yak-e-baa'd deegar padhna zaruri hai to ehteyaat-e-mustahab yehh hai ki pehli namaaz mukhtalif simto ki taraf muh karke padhe aur baa'd mein dusri namaaz shuru kare.
775. Jis shakhs ko qible ki simt ka yakeen na ho agar woh namaaz ke a'lawa koi aisa kaam karna chahe jo qibleki taraf muh karke karna zaruri hai maslan agar woh koi haiwaan zibaah karna chahta ho to ooske liye zaruri hai ke gumaan par amal kare aur agar gumaan paida karna mumkin na ho to jis taraf muh karke woh kaam anjaam de, durust hai.

Namaz mein badan ka dhaapna

776. Zaruri hai keh mard khwoha oose koi bhi na dekh raha ho namaaz ki haalat mein apni sharm gaaho ko dhaape aur behtar yehh hai ke naaf se ghutno tak badan bhi dhaape.
777. Zaruri hai keh aurat namaaz ke vaqt apna tamaam badan hatta ke sar ke baal bhi dhaape aur ehteyaat-e-waajib yehh hai ke apne aap se bhi chupaayeh, lehaaza agar aurat chaadar is tarah pehne ke oose apna badan nazar aa raha ho to oos mein bhi ishkaal hai .albatta chehre ka jitna hissa wuzu mein dhoya jaata hai aur kalaa'iyon tak haath aur takhno tak paao ka zaahiri hissa

dhaapna zaruri nahi hai laikin yehh yakeen karne ke liye ke oosne badan ki waajib miqdar dhaap li haizaruri hai ke chehre ke atraaf ka kuch hissa aur kalaa'iyon aur takhno se neeche ka hisa bhi dhaape.

778. Jab insaan bhoole hue sajde ya bhoole hue tashhahud ki qaza baja laa raha ho to zaruri hai ke apne aap ko is tarah dhaapejis tarah namaaz ke vaqt dhaapa jaata hai aur ehteyaat-e-mustahab yehh hai ke sajdha-e-sahw karne ke vaqt bhi apne aap ko dhaape

779. Agar insaan jaan bhoojh ke namaaz mein apni sharm gaah na dhaape to ooski namaz baatil hai.agar massle se laa ilmi ki bina par aisa kare jab ke ooski la ilmi massa'el-e-deen seekhne mein ooski apni kotaahi ka nataija hai to ehteyaat-e-waajib hai ke woh dobaara namaz padhe.

780. Agar kisi shakhs ko namaz ke dauraan pata chale ke ooski sharm gaah bah'rehna hai to zaruri hai ke apni sharm gaah chupaayeh aur oospar laazim nahi ke dobaara namaz padhe.laikin ehteyaat-e-waajib hai ke jab oose pata chale ke ooski sharm gaah baarehna hai to ooske ba'd namaaz ka koi juz anjaam na de.laikin agar oose namaaz ke ba'ad pata chale ki ooski sharm gaah baarehna thi to ooski namaz shai hai.

781. Agar kisi shakhs ka libaas kadhe hone ki haalat mein ooski sharm gaah dhap le laikin mumkin ho keh dusri haalat mein maslan ruku aur sujood ki haalat mein na dhaape to agar sharm gaah ke baarehna hone ke vaqt oose kisi zariyeh se dhap le to ooski namaaz sahi hai laikin ehteyaat-e-mustahab yehh hai ke oos libaas ke saath namaaz na padhe.

782. Insaan namaaz ke vaqt apne apko ghaas phoos aur darakhton ke patto se dhaap sakta hai laikin ehteyaat-e-mustahab yehh hai ke oon cheezon se oos vaqt dhaape jab ke ooske paaskoi aur cheez na ho.

783. Insaan ke paas majboori ki haalat mein sharm gaah chupaane ke liye koi bhi cheez na ho to oose apni sharm gaah ki khaal numaaya na hone keliye gaara ya oos jaisi kisi dusri cheez ko lep pot kar chupaayeh.

784. Agar kisi shakhs ke paas koi aisi cheez na jis se woh namaaz ke vaqt apne aap ko dhaape aur abhi woh aisi cheez milne se ma'yus bhi na hua ho to ehtitay-e-waajib yehh hai ke woh namaaz padhne mein takhir kare aur agar koi cheez na mile to aakhir vaqt mein apne wazife ke mutabiq namaz padhe aur agar woh kisi cheez ke milne se mayoos ho to awwal-e-vaqt mein hi namaaz ada kar sakta hai aur is surat mein agar woh awwal-e-vaqt mein namaaz padhe aur ooska uzr aakhir vaqt tak baaqi na rehta ho to zaruri nahi keh namaaz dobaara padhe.

785. Agar kisi shakhs ke paas jo namaaz padhna chahta ho apne aap ko dhaapne ke liye darakht ke patte, ghaas ya gaara ya kaa'yi bhi na ho aur aakhir vaqt tak kisi aisi cheez ke milne se ma'yus ho jise woh apne aap ko chupaa sake. Agar oose is baat ka itmenan ho ke koi aisa shakhs oose nahi dekhegaa jisse sharm gaah chupaan waajib ho to woh khada hokar oosi tarah namaaz padhe jis tarah ikhteyaari haalat mein ruku aur sujood ke saath namaaz padhte hain. Laikin agar oose ehtemaal hoke koi aisa shaks oose dekh lega to zaruri hai ke is tarah namaaz padhe ki ooski sharm gaah nazar nahi aayeh,maslan baith kar namaaz padhe aur agar apne aap ko aise kisi fard se bachaane ke liye majbor ho ke qayaam, ruku, sujood ko tark kar de, ya'ni teeno haalat mein oospar nazar pad rahi ho to zaruri hai ke baith jaaye aur ruku aur sujood baith kar anjaam de aur agar sirf kisi ek cheez ko tark karne par majboor ho to sirf oose hi tark kare, lehaaza agar khada hona mumkin hai to khade reh kar namaaz padhe aur ruku aur sujood ishaar se bajaa laayeh aur agar sirf qayaam mein oospar nazar pad rahi hai to baith jaaye aur ruku aur sujood ko anjaam de. Agarche is surat mein ehteyaat-e-mustahab yehh hai ke aisi surat mein baith kar padhi jaane wali namaaz ke saaath saath khade ho kar padhe jaane waali namaaz bhi ada kare jis mein ruku aur sujood ko ishaare se anjaam diya gaya ho aur ehteyaat-e-laazim yehh hai ke barhena shakhs

namaaz ki haalat mein apni sharm gaah ko apne baaz ajzaa ke zariyeh maslan baitha ho to dono raano se aur khada ho to dono haatho se chupaa le.

Namaazi ke libaas ki shartein

786. Namaazi ke libaas ki 6 shartein hain.

(1) Paak ho
(2) Mubaah ho bina bar ehteyaat-e-waajib
(3) Murdaar ki ajzaa se na bana ho
(4) Darinde ki ajzaa se bana ho na ho balki ehteyaat-e-waajib ki bina par haraan ghost-e-haiwaan ke ajzaa se na bana ho
(5-6) Agar naaz padhne wala mard ho to ooska libaas khalis resham aur zardozi ka na bana hua ho .on sharton ki tafseel aa'indah massa'el mein batayi jaayegi.

Pehli shart

787. Namaaz padhne waale ka libaas paak hona zaruri hai.agar koi shakhs haalat-e-ikhteyaar mein najis badan ya najis libaas ke saath namaaz padhe to ooski namaaz batil hai.
788. Agar koi shakhs massaael-e-deen seekhne mein apni kotaahi ki wajah se yehh na jaanta ho ke najis badan ya libaas ke saath namaaz baatil hai ya maslan yehh na jaanta ho ke mani najis hai aur ooske saath namaaz padhe to ehteyaat-e-waajib yeh hai ke oos namaaz ko dobaara padhe aur agar vaqt guzar chuka hai to ooski qaza kare.
789. Agar koi shakhs massle se la ilmi ki bina par najis libaas ya najis badan ke saath namaaz padh le jab ke massa'el-e-deen seekhne mein kotaahi na ki ho to oos namaaz ko dohraana ya qaza karna zaruri nahi hai.
790. Agar kisi ko yehh yakeen ho ke ooska badan ya libaas najis nahi hai aur ooske najis hone ke baare mein namaaz ke ba'ad pata chale to ooski namaaz sahi hai.
791. Agar koi shakhs yehh bhool jaaye ke ooska libaas ya badan najis hai aur oose namaaz ke dauraan ya ooske ba'ad yaad aayeh chunanche agar oosne laa parwaahi aur ehmiyat na dene ki wajah se bhula diya ho to ehteyaat-e-laazim ke bina par zaruri hai ke woh namaaz dobaara padhe aur agar vaqt guzar gaya ho to ooski qaza kare.is surat ke a'lawa zaruri nahi hai ke woh namaaz ko dobaara padhe.laikin agar namaaz ke dauran oose yaad ayeh to zaruri hai ke oos hukm pe amal kare jo ba'ad waale massle mein bayaan kiya jaayega.
792. Jo shakhs wa'see vaqt mein namaaz mein masshghool ho, agra namaaz ke dauraan oose pata chale ke ooska badan ya libaas najis hai aur oose yehh ehtemaal ho ke namaaz shuru karne ke ba'ad ooska libaas najis hua hai to is surat mein agar badan ya libaaspaak karne ya libaas tabdeel karne ya libaas ootarne se namaaz na toote to namaaz ke dauraan badan ya libaas ko paak kare ya libaad tabdeel kare ya agar kisi aur cheez ne ooski sharm gaah ko dhaap rakha ho to libaas ootar de.laikin jab surat yehh ho ke jab badan ya libaas paak kare ya agar libaas badal le ya ootaare to namaaz tooti ho ya agar libaas ootare to nanga ho jaata ho to ehteyaat-e-laazim ki bina par zaruri hai ke dobaara paak namaaz ke saath namaaz padhe.
793. Jo shakhs tang vaqt mein namaaz mein masshghool ho, agar namaaz ke dauraan oose pata chale ke ooska libaas najis hai aur oose yehh ehtemaal hai ke namaaz shuru karne ke ba'ad libaas najis hua haito agar surat yehh hai ke libas paak karne ya badalne ya ootaarne se namaaz na tooti ho aur woh libaas ootaar sakta ho to zaruri hai ke libaas ko paak kare ya badle ya agar kisi aur cheez ne ooski sharm gaah ko dhaap rakha hao to libaas ootar de aur namaz khatm kare laikin agar kisi aur cheez ne ooski sharmgaah ko na dhaap rakha ho aur woh libaas paak na kar sakta ho to aur oose badal bhi na sakta ho to to zaruri hai ke oos najis libaas ke saath namaaz khatm kare.

794. Koi shakhs jo tang vaqt mein namaaz mein masshghool ho aur namaaz ke dauraan oose oata chale ke ooska badan najis hai aur oose yehh ehtemaal ho ke namaz shuru karne ke ba'ad najis hua hai to agar surat yehh ho ke bada paak karne se namaaz na tutti ho to badan ko paak kar le aur agar namaz tut ti ho to ho to zaruri hai ke oosi haalat mein namaaz ko khatm kare aur ooski namaaz sahi hai.
795. Aisa shakhs jo apne badan ya libaas ke paak hone ke baare min shak mein mubtela ho aur justuju karke koi cheez na paa kar namaaz padhe aur namaaz ke ba'ad oose pata chaleke ooska badan ya libaas najistha to ooski namaaz sahi hai aur agar agar oosne justuju na ki ho ehteyaat-e-laazim ki bina par zaruri hai ke namaaz dobaara padhe aur agar vaqt guzar gaya ho to ooski qaza kare.
796. Agar koi shakhs apna libaas dhoyeh aur oose yakeen ho jaaye ke libaas paak ho gaya hai ooske saath namaaz padhe aur gar namaaz ke ba'ad pata chale ke paak nahi hua thato ooski namaaz sahi hai.
797. Agar koi shakhs apne badan ya libaas mein khoon dekhe aur oose yakeen ho keh yek najis khoon mein se nahi hai maslan oose yakeen ho ke macchar ka khoon hai laikin namaaz padhne ke ba'ad oose pata chale keh yehh oos khoon mein se hai jiske saath namaaz nahi padhi jaa sakti to ooski namaaz sahi hai.
798. Agar kisi shakhs ko yaken ho ke ooske badan ya libaas par woh khoon hai ji aisa najis khoon hai jiske saath namaaz padhna sahi hai maslan oose yakeen ho ke zakhm aur phode ka khoon hai laikin namaaz ke ba'ad oose pata chale key eh aisa khoon hai jiske saath namaaz baatil hai to ooski namaaz sahi hai.
799. Agar koi shakhs bhool jaaye ke ek cheez najis hai aur geela badan ya geela libaas oosse chu jaaye aur oosi bhool ke ilm mein woh namaaz padhle aur namaaz ke ba'ad oose yaad aayeh to ooski namaaz sahi hai. Laikin ooska geela badan oos cheez ko chu jaaye jiska najis hona woh bhool gaya haiaur apne aapko paak kiyeh bagair ghusl kare aur aur namaaz padhe to ooska ghusl aur namaaz baatil hai siwaate is surat ke ghusl karne se badan bhi paak ho jaaye aur paani bhi najis na hota ho jaise ke aab-e-jaari mein ghusl kar rah aho, isi tarah agar wuzu ke gele ajzaa ka koi hissa oos cheez se chijaaye jiske najis hone ke baare mein woh bhool gaya hai aue oos se pehle ke woh oos hisse ko paak kare, woh wuzu kare aur namaaz padhe to ooska wuzu aur namaaz dono baatil hai siwaayeh is surat mein ke wazu karne se wuzu ke ajzaa bhi paak ho jaaye aur aur pani bhi najis na ho jaise kurr aur aab-e-jaari.
800. Jis shakhs ke paas sirf ek libaas ho agar ooska badan ya libaas najis ho jaaye aur ooske paas oon meinse ek ko paak karne ke liye paani ho to ehteyaat-e-laazim yehh hai ke badan ko paak kare aur najis libaas ke saath namaaz padhe.libaas ko paak karke najis badan ke saathnamaaz padhna jaayez nahi hai .laikin agar libaas ki najasat badan ki najasat se zayada ho ya libaas ki najasat badan ki najasat ke lehaaz se zayada shadeed ho to oose ikhteyaar hai ke libaas aur badan mein se jise chahe paak kare.
801. Jis shakhs ke paas najis libaas ke alawaa aur koi libaas na ho to zaruri hai ke najis libaas ke saath namaaz padhe aur ooski namaaz sahi hai.
802. Jis shakhs ke paas do libaas ho agar woh jaanta ho ke oon mein se ek najis hai laikin yehh na jaanta ho ke kaoon sa najis hai aur oos ke paas vaqt ho to dono libaaso ke saath a'laihda a'laihda namaaaz padhe maslan agar woh zuhr aur asr ki namaaz padhna chahta hai to zaruri hai ke har ek libaas se ek namaaz zuhr ki aur ek namaaz asr ki padhe laikin agar vaqt tanf ho aur dono mein se koi ek bhi kuwwate ehtemaal ya muhtamil ki ehmiyat ke aitebaar se ghaalib na ho to jis namaaz ke saath namaaz padh le kaafi hai.

Dusri shart

803. namaaz padhne waale ka woh libaas jis se oosne apni sharm gaah ko dhaapa hua ho ehteyaat-e-waajib ki bina par mubah hona zaruri hai.pas agar koi aisa shakhs jo jaanta ho ke ghasbi libaas phehna haraam hai yaa kotaa'hi ki wajah se massle ka hukm na jaanta ho aur jaan bhoojh ke oos libaas ke saath namaaz padhe to ehteyaat ki bina par ooski namaaz baatil hai.lakin agar libaas mein woh cheezein shaamil hon jo batanhaa'ee sharm gaah ko nahi dhaap sakte aur isi tarah woh cheezein jin se agarche sharm gaah ko dhaapa jaa sakta ho laikin namaaz padhne waale ne oonhein haalat-e-namaaz mein na pehen rakha ho maslan bada rumaal ya loongijo jeb mein rakhi ho aur isi tarah woh cheezein jo namaazi ne pehen rakha ho jab ke ooska paas ek mubah satarposh bhi ho.aisi tamaam surton mein oon cheezon ke ghasbi hone se namaaz mein koi farq nahi padta agarche ehteyaat oon ko tarq kar dene mein hai.

804. Jo shakhs yehh jaanta ho ke ghasbi libaas pehenna haraam hai laikin oos libaas ke saath namaz padhne ka hukmna jaanta ho agar woh jaan bhoojh ke ghasbi libaas ke saath namaaz padhe to jaisa ke saa'beqa massle mein tafseel se bataya gaya hai ehteyaat ki bina par namaaz baaatil hai.

805. Agar koi shakhs yehh na jaanta ho ya bhool gaya ho ke ooska libaas ghasbi hai aur oos libaas ke saath namaaz padh le to ooski namaaz sahi hai.laikin agar woh shakhs khud oos libaas ko ghasb kar le aur phir bhool jaaye ke oosne ghazb kiya hai aur oosi libaas ke saath namaaz padhe to ehteyaat ki bina par ooski namaaz baatil hai.

806. Agar kisi shakhs ko ilm na ho ya bhool jaaye ke ooska libaas ghaszbi hai laikin namaz ke dauraan oose pata chal jaaye aur ooski sharm gaah kisi aur cheez se dhaki hui ho to woh fauran ya namaaz ka tassalsul tode baghair libaas ootar sakta ho to fauran libaas ootar de aur agar kisi aur cheez ne ooski sharm gaah ko nazar-e-mohtaram se dhaapa ho na ho ya ghasbi libaas fauran na ootaar sakta ho to oosi libaas ke saath namaaz jaari rakhe aur ooski namaaz sahi hai

807. Agar koi shakhs apni jaan ki hifaazat ke liye ghaszbi libaas ke saath namaaz padhe jab ke aakhir vaqt tak woh kisi aur libaas ke saath namaaz padhne ke qabil na ho sake ya oos libaas ko pehenne ki majboori ooske apne ikhteyaaraat ke ghalat istemaal ki wajah s na ho maslan khud oosne woh libaaas ghazb na kiya hua ho to ooski namaaz sahi haiisi tarah agar ghasbi libaas ke saath is liye namaaz padhe taake chori na ho jaaye aur aakhir vaqt tak kisi aur libaas ke saath namaaz na padh sake ya libaas ko is liye apne paas rakha ho ke pehli fursat mein ooske maalik tak pohooncha yaa jaa sake to ooski namaaz sahi hai .

808. Agar koi shakhs oos raqam se libaas khareede jiska khums osne na ada kiya ho jab ke saude mein ra'ej tarike kaar ke mutabiq, qeemat apne zimme le li ho to libaas ooske liye halal hai albatta woh ada shuda qeemat ke khums ka maqruz hoga.laikin agar oosne ain oosi maal se libaas khareeda ho jiska khums ada nahi kiya tha to haakim-e-sha'ra ki ijaazat ke baghair oos libaas ke saath namaaz padhne ke liye wohi hukm hai jo ghasbi libaas ke saath padhne ka hukm hai.

Teesri surat

809. Zaruri hai ke namaaz padhne waale ka woh libaas ba tanha'ee sharm gaah ko chupaaya jaa sakta ho hai.khoone-jahenda rakhne wake murdaar ke ajzaa se na bana hoyahi hukm ehteyaat-e-waajib ki bina par oos libaas ke liye bhi hai jo sharm gaah chupaane ke liye kaafi hai balki agar libaas oos murda haiwaan maslan machli aur saanp se tayyar kiya jaaye jis ka khoon-e-jahenda nahi hota ho to ehteyaat-e-mustahab yehh hai ke ooske sath namaaz na padhe.

810. Agar najis murdaar ki aisi cheez maslan ghosht aur khaal jis mein rooh hoti hai namaaz padhne waale ke humraah ho to ooski namaaz sahi hai.

811. Agar halaal ghosht murdaar ki koi aisi cheez jis mein rooh nahi hoti ho, maslan baal aur oon namaaz padhne waale ke humraah ho ya libaas ke saaath namaaz padhe jo in cheezon se tayyar kiya gaya ho to ooski namaaz sahi hai.

Chauthi shart

812. Zaruri hai ke namaaz padhne waale ka libaas, oon cheezon ke a'lawa jo sirf sharm gaah chupaane ke liye na kaafi hai maslan juraab, darindo ke ajzaa se tayyar kiya hua na ho balki ehteyaat-e-laazim ki bina par aisi jaanwar ke ajzaa se na bana hua ho jiska ghosht khan haraam hai.isi tarah zaruri hai ke namaaz padhne waale ka badan aur libaas haraam ghosht-e jaanwar ke peshaab, pakhaane, doodh aur baal se aalooda na ho laikin agar haraam ghosht-e-jaanwar kaek baal osske libaas par laga hua hai to koi harj nahi hai.isi tarah agar namaaz guzzar ke humraah in mein se koi cheez agar dibbe waghairah mein band rakhi ho tab bhi koi harj nahi hai.
813. Haraam ghosht-e-jaanwar maslan billi ke muh ya naak ka paani ya koi dusri ratubat namaaz padhne waale ke badan ya libaas par lagi hui ho, agar woh tar ho to namaaz baatil hai, laikin agar woh khushk ho aur ooska ain-e-juz zaa'el ho gaya ho to namaaz sahi hai.
814. Agar kisi shakhs ka baal ya paseena ya moonh ka lo'aab namaaz padhne waale ke badan ya libaas pe laga hua ho to koi harj nahi hai. Isi tarah moam aur shahed ooske humraah ho tab bhi namaaz padhna jaaayehz hai.
815. Agar kisi ko shak ho ke libaas haraam ghosht se tayyar kiya gaya hai ya haraam ghosht-e-jaanwar se khwoha woh makaami taur par tayyar kiya gaya ho ya dar aamad kiya gaya ho oske sath namaaz padhne jaayez hai.
816. Yehah ma'loom nahi hai ke sspi haraam ghost-e-haiwaan ke ajzaa mein se hai lehaaza seep ke saath namaaz padhna jaayez hai.
817. Gilhehri ki pausteen pehen kar namaaz phadne mein koi harj nahi hai laikin ehteyaat-e-mustahab yehh hai ke ooske saath namaaz na padhi jaaye.
818. Agar koi shakhs aise libaas ke saath namaaz padhe jiske muttaliq wohn a jaanta ho ya ya bhool gaya ho ke haraam ghost-e-jaanwar se tayyar hua hai to ooski namaaz sahi hai

Paanchvi shart

819. Zardozi k a libaas pehenna mardon ke liye haraam hai aur ooske saath namaz padhna baaatil hai laikin aurton ke liye namaz mein ya namaz ke alawaa ooske pehenne mein koi harj nahi hai.
820. Sona pehenna maslan soone ki zanjeer gale mein pehenna, sone ki anghooti haath mein pehenna, sone ki ghadi kalaayi par baandhna aur sone ki ainak lagaana mardo ki liya haraam hai aur oon cheezon ke saath namaz padhna baatil hai. Laikin aurton ke liye oon cheezon ka namaaz mein ya namaaz ke alawaa pehenne mein koi harj nahi hai
821. Agar koi shakhs na jaanta ho ya bhool gaya hoke ooski anghoothi ya libaas sone ka hai ya shak rakhta ho aur ooske saath namaaz padhe to ooski namaaz sahi hai.

Chhati shart

822. Zaruri hai ke namaaz padhne waale ka libaas jisse ba tanhayi sharmgaah ko chupaya jaa sakta hekhalis resham kin a ho aur namaaz ke a'lawa bhi mardon ki liye resham pehhenna haraam hai.
823. Agar libaas ka astar ya ooska kuch hissa resham ka ho to mardon ke liye ooska pehhenna haraam haiaur ooske saath namaaz padhna baatil hai.

824. Jis libaas ke baare mein yehh ilm na ho keh yehh khaalis resham ka bana hua hai yak is aur cheez kababa hua haito ooska pehhenna jayez hai aur ooske saath namaaz padhdne mein koi harj nahi hai.
825. Reshmi rumaal yaa oosi jaisi koi aur cheez mard ki jeb mein ho to koi harj nahi hai woh namaaz ko baatil nahi karti.
826. Aurat ke liye namaaz mein ya ooske a'lawa reshmi libaas pehhenne mein koi harj nahi hai.
827. Majboori ki haalat mein khaalis reshmi libaas aur zardosi ka libaas pehenne mein koi harj nahi. A'lawa azein jo shakhs libaas pehhenne par majboor ho aur ooske paas koi aur libaas na ho to oon libaaso ke saath namaaz padh sakta hai.
828. Agar kisi shakhs ke paas ghazbi, khaalis reshmi ya zardozi ke libaas ke a'lawa koi libaas na ho aur woh libaas pehhenne par majboor na ho to zaruri hai ke oon ehkaam ke mutabiq namaaz padhe jo baarehna logo ke liye bataayeh gayeh hain.
829. Agar kisi ke paas darinde ki ajzaase bane hue libaas ke a'lawa koi aur libaas na ho, aur woh libas pehhenne par majboor na ho to zaruri hai ke oon ehkaam ke mutabiq namaaz padhe jo baarehna logo ke liye batayeh gayeh hain. Agar ooske paas ghair-e-darinda haraam jaanwaro ke ajzaa se tayyar shuda libaas ke a'lawa aur koi libaas na ho aur libaas pehhenne par majboor na ho to ehteyaat-e-laazim yehh hai ke do daf'a namaaz padhe.ek baar oosi libaas ke saath aur ek baar oos tariqe ke mutabiq jiska zikr baarehna logo ke namaaz mein bayaan ho chukka hai.
830. Agar kis ke pas aisi cheez na ho ke woh apni sharm gaaho ko namaaz mein dhaap sakte to waajib hai ke kisi aisi cheez ko kiraayeh par le ya khareede laikin agar ooske paas ooski haisiyat se zayada kharch oothta ho ya yehh ke oos kaam ke liye kharch bardasht kare to woh tab'ah ho jaaye to oon ehkaam ke mutabiq namaaz padhe jo baarehna logo ke liye batayeh gayeh hain.
831. Jis shakhs ke paas libaas na ho agar koi dasra shakhs oose libaas bakshk diya ya udhaar de to agar oos libaas ka kabool karna oos shakhs par giraaa na guzarta ho tozaruri hai ke oose kabool kale balkeya agar udhaar lena ya bakshish ke taur par talab karna ooske liye takleef ka ba'es hai to zaruri hai ke jiske paas libaas ho oose udhaar maang kar bakshish ke taur par talab kare.
832. Agar koi shakhs aisa libaas pehhenna chahe jiska kapda, rang, sillaayi, ooske etebaar se riwaaj ke mutabiq na ho to agar ooska pehhenna ooski shaan ke khilaaf aur tauheen ka ba'es ho to ooska pehhenna harram hai. Laikin agar woh oos libaas ke saath namaaz padhe to chahe ooske paas sharm gaah chupane ke liye faqt wohi libaas na ho to bhi ooski namaaz sahi hai.
833. Agar mard zanaana libaas pehne aur aurat mardaana libaas pehne aur oose apni zeenat qaraar de to ehtitay ki bina par ooska pehhenna haraam hai .Laikin oos surat mein namaz padhna har surat mein sahi hai Mard ke liye zanaana libaas pehhenna aur aurat ke liye mardaana libaas pehenna haraam nahi hai aur na hi oose namaz baatil hoti hai.Albatta ehtiat-e-waajib ki bina par jayez nahi hai ke mard apne aap ko aurat ke rang-o-roop mein dhal le aisi tarah bar aks ya'ni aurat apne aap ko mard ke roop mein dhal le.
834. Jis shakhs ke liye let kar namaz padhna zaruri hai, zaruri nahi hai jo le'haaf ya chaadar oosne khud par daal rakhi hai woh namaazi ke libaas ke shara'et par poora ootarto ho siwaayeh ooske ke aarefan oose pehnaawa kaha jaaye. Maslan oosne chadar wagairah ko khud par lapeit liya ho.

Jin surton mein namaazi ka badan ya libaas paak hona zaruri nahi

835. Teen surton mein jin ki tafseel neeche bayaan ki jaa rahi hai agar namaaz padhne waale ka badan ya libaas najis ho to ooski namaaz sahi hai:
(1) Ooske badan ke zakhm, jaraahat ya phode ki wajah se ooske libaas ya badan par khoon laga ho

(2) Ooske badan ya libaas par dirham ki miqdar se kam khoon lag jaaye aur ehteyaat-e-waajib yehh hai ki dirham ki miqdar anghoothe ki uupar wali garah ke barabar samjhi jaaye.
(3) Woh najis badan ya libaas ke saath namaz padhne par majboor ho.
A'lawa azen ek aur surat hai agar namaaz padhne waale ka libaas najis bhi to oonki namaaz sahi hai woh surat yeh hai ke chhota libaas maslan mo'za ya topi najis ho.
In chaaron surton ke tafseeli ehkaam aa'endah massa'el mein bayaan kiye jaayenge.
836. Agar namaz padhne waale ke badan ya libaas par zakhm ya jaraahat ta phode ka khoon ho to woh oos khoon ke saath oos vaqt tak namaaz padh sakta hai jab tak zakhm, jaraahat, ya phoda theek nahi ho jaaye aur agar ooske badan par aisi peep ho jo ooske badan ke saath nikli ho ya aisi dawaayi jo zakhm par lagaayi gayi ho najis ho gayi ho to oonke liye bhi yahi hukm hai.
837. Agar namaaz padhne waale ke badan par aisi kharash ka khoon laga ho jo jaldi theek ho jaat ho aur jiska dhona aasaan ho jiski miqdar ek dirham ke barabar ya oose zayada ho to ooski namaaz baatil hai.
838. Agar badan ya libaas ki aisi jagah jo zakhm se faasle par ho zakhm ki ratoobat se najis ho jaaye to ooske saath namaaz padhna jayez nahi hai laikin libaas ya badan ki woh jagah jo zakhm ke atraaf mein hai agar oos zakhm ki ratoobat se najis ho jaaye to ooske saath namaaz padhne mein koi harj nahi hai.
839. Agar kis shakhs ke badan ya libaas ko bawaasar ya oos zakhm mein jo muh aur naak wagairah ke andar ho khoon lag jaaye to woh ooske saath namaaz padh sakta hai. Is baat se koi farq nahi padta ke bawaasar ke massse baaharho ya andar.
840. Agar koi shakhs jis ke badan par zakhm ho apne badan ya libaas par aisa khoon dekhe dirham se zayada ho aur yehh na jaanta ho key eh khoon zakhm ka hai ya koi aur khoon hai to ehteyaat-e-waajib yehh hai ki oos khoon ke sath namaaz na padhe.
841. Agar kis shakhs ke badan par chand zakhm ho aur woh ek dusre ke is qadr nazdeek ho ke ek zakhm shumaar ho jaate ho to jab tak woh zakhm theekh na ho jaate ho oon ke khoon ke saath namaaz padhne mein koi harj nahi hai laikin agar woh zakhm ek dusre se itne door ho ke oon mein se har zakhm ek a'laihda zakhm shumaar ho to jo zakhm theekh ho jaaye zaruri hai ke namaaz ke liye badan aur libaas ko dho kar zakhm ke khoon se paak kare.
842. Agar namaaz padhne waale ke badan ya libaas par sooyi ke nok ke barabar bhi haiz ka khoon laga ho to ooski namaaz baatil hai. Ehteyaat ki bina par maslan soowar, murdaar aur haraam ghosht-e-jaaanwar niz nifaas aur istehaza ke khoon ki bhi yahi surat hai laikin koi duara khoon maslan insaan ke badan ka khoon ya halaal ghost-e-haiwaan ke khoon ki chheent, chahe badan ki kayi hisso par lagi ho ooski majmoo'yi miqdar ek dirham se kam ho to ooske saath namaaz padhne mein koi harj nahi hai.
843. Jo khoon bagair astar ke kapde par gire aur dusri taraf pohoonch jaaye woh ek khoon shumaar hota hai aur dono taraf mein jis taraf khoon ki miqdar zayada ho ooske mutabiq hukm lagaaya jaayelaikin agar kapde ki dusri taraf alag se khoon aalooda ho jaaueto zaruri hai ke oon mein se har khoon ko a'laihda khoon shmaar kiya jaaye. Pas agar agar woh khoon jo kapde ke saamne ke rukh aur pichli tarf hai majmuyi taur par ek dirham se kam ho ooske saath namaaz padhna sahi hai aur agar oose zayada ho to ooska saath namaaz baatil hai.
844. Agar astar waale kapde par khoon gire aur ooske astar tak pohoonch jaaye ya astar pe gire aur kapde tak pohoonch jaaye yaa ek kapde se dusre kapde tak pohoonch jaaye to zaruri hai ke har khoon ko alag shumaar kiya jaaye. Pas agar sab mil kar ek dirham se kam ho to namaaz sahi hai warna baatil hogi. Haan agar kapde ek dusre se is tarah mile hue hon keh logon ke nazdeek ek khoon shumaar ho to jis tarah khoon ki miqdaar zayada hai. Agar woh ek dirham se kam ho to namaaz sahi hai aur agar ek dirham ke barabar ya oos se zayada ho to namaaz batil hai.

845. Agar badan ya lebaas par ek dirham se kam khuoon ho aur koi ratubat oos khuoon se mil jaaye aur aage badh kar oos ke aitraaf ko aaludah kar de to oos ke saath namaaz batil hai khawah khuoon aur ratubat jo oos se mili hai ek dirham ke barabar na hon. Laikin agar ratubat sirf khuoon se mile aur oos ke aitraaf ko aaludah na kare to oos ke saath namaaz padhne mein koi harj nahin.

846. Agar badan ya lebaas par khuoon na ho laikin ratubat ke saath khuoon se lagne ki wajah se najis ho jaaye to agarche jo miqdaar najis hue hai woh ek dirham se kam ho to oos ke saath bhi namaaz nahin padhi ja sakti.

847. Badan ya lebaas par jo khuoon ho agar woh ek dirham se kam ho aur koi dusri najasat oos se aa lage massalan peshaab ka ek qatrah oos par gir jaaye aur woh badan ya lebaas ke paak maqamaat par lag jaaye to oos ke saath namaaz padhna jayez nahin balkeh agar badan aur lebaas ke paak maqamaat tak nab hi pohoonche tab bhi ehteyaat-e-lazim ki bina par oos mein namaaz padhna sahi nahin hai.

848. Agar namaaz padhne waale ka chhota lebaas massalan topii aur moze jis se sharamgaah ko na dhanpa ja sakta ho najis ho jabkeh oose najis murdaar ya najis al'een haiwaan ke ajzaa se banaya gaya ho to ehteyaat-e-wajib ki bina par oos ke saath namaaz padhna batil hai. Han! Agar najis anguthhi ke saath namaaz padhii jaaye to koi harj nahin.

849. Najis cheez massalan najis roomaal, chaabi aur chaaqu ka namaaz padhne waale ke paas hona jayez hai. Isi tarah agar najis lebaas oos ke paas ho tab bhi namaaz par koi farq nahin padta.

850. Agar koi shakhs jantaa ho keh jo khuoon oos ke lebaas ya badan par hai woh ek dirham se kam hai laikin is amr ka ehtemaal ho keh yeh oos khuoon mein se hai jo ma'af nahin hai to oos ke liye jayez hai keh oos khuoon ke saath namaaz padhe.

851. Agar woh khuoon jo ek shakhas ke lebaas ya badan par ho ek dirham se kam ho aur oose yeh I'lm na ho keh yeh oos khuoon mein se hai jo ma'af nahin hai, namaaz padh le aur phir oose pata chalk eh yeh khuoon mein se thha jo ma'af nahin hai, to oos ke lie dobarah namaaz padhna zaruri nahin aur aur oos vaqt bhi yehi hukm hai jab woh yeh samajhta ho keh khuoon ek dirham se kam hai aur namaaz padh le aur b'ad mein pata chale keh oos ki miqdaar ek dirham ya oos se zayada thhi, oos surat mein bhi dobarah namaaz padhne ki zarurat nahin hai.

Woh cheezein jo namazi ke lebaas mein mustahab hai

852. Fuqha'e karaam Allalaha maqamhim ne chand cheezein namaazi ke lebaas mein mustahab qarar dii hain keh jin mein se tehtul hanak ke saathh a'mama, a'ba, safeid lebaas, saaf suthra tareen lebaas, khusboo lagana aur aqeeq ki anguthhi pehenna shamil hain.

Woh cheezein jo namazi ke lebaas mein makruh hai

853. Fuqha'e karaam Allalaha maqamhim ne chand cheezein namaazi ke lebaas mein makruh qarar dii hain jin mein se sayah, maila aur tang lebaas aur sharaabi ka lebaas pehenna ya oos shakhs ka lebaas pehenna jo najasat se parhez na karta ho aur aisa lebaas pehenna jis par chehre ki tasveer bani ho. Oos ke a'lawa lebaas ke batan khule hona aur aisi anguthhi pehenna jis par chehre ki tasveer ho, shamil hain.

Namaaz padhne ki jagah

Namaaz padhne waale ki jagag ki saath shartein hain:

(Pehli shart) Woh jagah ehteyaat-e-wajib ki bina par mubaah ho.

854. Jo shakhs ghazbi jagah par namaaz padh raha ho agar chew o khud qaleen, takht aur isii tarah ki dusri cheez par ho, ehteyaat-e-lazim ki bina par oos ki namaaz batil hai. Laikin ghazbi chat ke niche aur ghazbi kheme tale namaaz padhne mein koi harj nahin hai.
855. Aisii jagah namaaz padhna jis ki manfa't kisi aur ki malkiat ho to manf'at ke maalik ki ijazat ke baighair wahan namaaz padhna ghazbi jagah par namaaz padhne ke hukm mein hai. Massalan kira'e ke makaan mein agar maalik makaan ya koi aur shakhs kira'e daar ki ijaazat ke baighair namaaz padhe to ehteyaat ki bina par oos ki namaaz batil hai.
856. Agar koi shakhs massjid mein baithha ho aur dusra shakhs oose bahar nikaal kar oos ki jagah par qabzaa kare aur oos jagah namaaz padhe to oos ki namaaz sahi hai agarche oos ne goonaah kiya hai.
857. Agar koi shakhs kisi aisii jagah namaaz padhe jis ke ghazbi hone ka oose I'lm na ho aur namaaz ke b'ad oose pata chale ya aisii jagah namaaz padhe jis ke ghazbi hone ko woh bhool gaya ho aur namaaz ke b'ad oose yaad aa'e to oos ki namaaz sahi hai. Laikin koi aisa shakha jis ne khud woh jagah ghazb ki ho aur woh bhool jaaye aur wahan namaaz padhe to oos ki namaaz ehteyaat ki bina par batil hai.
858. Agar koi shakhs jantaa ho keh yeh jagah ghazbi hai aur oos mein tasarruf haraam hai laikin oose yeh I'lm na ho keh ghazbi jagah par namaz padhne mein ishkaal hai aur woh wahan namaaz padhe to ehteyaat ki bina par oos ki namaaz batil hai.
859. Agar koi shakhs wajib namaaz sawaari ki halat mein padhne par majboor ho aur sawaari ka jaanwar ya oos ki zeen ya n'el ghazbi ho to ehteyaat-e-wajib ki bina par oos ki namaaz batil hai aur agar woh shakhs oos jaanwar par sawaari ki halat mein mustahab namaaz paqdhna chahe to oos ka bhi yehi hukm hai.
860. Agar koi shakhs kisi ja'edad mein dusre ke saath shareek ho aur oos ka hissa juda na ho to apne sharak'atdaar ki ijazat ke baighair woh oos ja'edad par tasarruf nahin kar sakta aur oos par namaaz padhna bhi ehteyaat-e-wajib ki bina par batil hai.
861. Agar koi shakhs ek aisii raqam se koi ja'edad khareede jis ka khums oos ne ada na kiya ho jabkeh sude mein ra'ej tariqa kaar ke mutabiq, qimat apne zimme le li ho to ja'edad mein tasarruf karna oos ke lie halal hai aur woh shakhs adea shuda qimat ke khums ka maqrooz hoga. Laikin agar woh a'in oosi maal se ja'edad khareede jis par khums wajibul ada thha to hakim shar'e ki ijazat ke baighair oos ghar mein tasarruf haraam aur ehteyaat-e-wajib ki bina par oos jagah namaaz batil hai.
862. Agar kisi jagah ka maalik zabaan se namaaz padhne ki ijazat de de aur insaan ko I'lm ho keh woh dil se raazi nahin hai to oos ki jagah par namaaz padhna jayez nahin aur agar ijazat na de laikin insaan ko yaqeen ho keh woh dil se raazi hai to namaaz padhna jayez hai.
863. Jis marhoom ne zakaat aur oos jaisii dusre maali wajibaat ada na kie hon oos ki ja'edad mein koi aisa tasarruf karna jo wajibaat ki ada'egi mein man'e na ho massalan oos ke ghar mein namaaz padhna, wirsa ki ijazat se jayez hai. Isii tarah agar qarzdaar ka qarz ada kar dia ja'e ya koui apne zimme le le ya itni miqdaar juda kar li ja'e to baaqi ja'edad mein aisa tasarruf karna bhi jayez hai jo oos ja'edad ko talf kar de.
864. Aga marhoom ke b'az wirsa kamsin ya majnoon ya ghair hazir hon to oon ke wali ki ijazat ke baighair oos ki ja'edad mein tasarruf haraam hai aur oos mein namaaz jayez nahin. Han! oon m'amooli tasarrafaat mein koi harj nahin jo mayyat ke ghusl wa kafan waghairah ke umoor anjaam dene ka maqaddmah hain.
865. Kisi ki ja'edad mein namaaz padhna oos surat mein jayez hai jabkeh oos ka malik sharian ijazat de ya koi aisii baat kahe jis se m'aloom ho keh oos ne namaaz padhne ki ijazat de di hai. Massalan agar ksisi shakhs ko ijazat de keh oos ki ja'edad mein baithhe ya so'e to oos se

samajha ja sakta hai keh os ne namaaz padhne ki ijazat bhi de di hai ya maalik ke raazi hone par dusri wajuhaat ki bina par itminaan rakhta ho.

866. Inteha'ee wasee wa a'reez zameen mein namaaz padhna jayez hai agarche oos ka maalik kamsin ya majmoon ho ya wahan namaaz padhne par raazi na ho. Isii tarah oon baaghaat aur zameeno mein keh jin ke darwaze aur deewaar na hon, oon ke maalik ki ijazat ke baighair namaaz padh sakte hain. Laikin agar oos surat mein m'aloom ho keh maalik raazi nahin hai to zaruri hai keh tasaruruf na kare aur agar maalik kamsin ya majmoon ho ya oos ke raazi na hone ka gumaan ho to ehteyaat-e-lazim yeh hai keh wahan tasarruf na kiya ja'e aur namaaz na padhii jaaye.

867. (Dusri shart) Zaruri hai keh namaazi ki jagah wajib namaazon mein aisii na ho keh nez harkat namaazi ke khade hone ya ikhteyari ruku aur sajud karne mein man'e ho balkeh ehteyaat-e-lazim ki bina par zaruri hai keh oos ke badan ko sakin rakhne mein bhi man'e na ho aur agar woh vaqt ki tangi ya kisi aur wajah se aisii jagah massalan bus, truck, kashti ya railgadi mein namaaz padhe to jis qadr mumkin ho badan ke thhera'o aur qible ki simt ka khayaal rakhe aur agar transport qible se kisi dusri taraf mud jaaye to apna moonh qible ki janib mod de. Agar mumkin taur par qible ka khayaal rakhna mumkin na ho to koshish kare keh 90° se kam ikhtelaaf ho agar yeh bhi mumkin na ho to sirf takbeeratul haraam kahte vaqt qible ka khayaal rakhe aur agarche yeh bhi na ho sake to qible ka khayaal rakhna zaruri nahin.

868. Jab gaadi, kashti ya rail gaadi waighairah khadi hu'ee hon to oon mein namaaz apdhne mein koi harj nahin. Yehi hukm oos vaqt bhi hai jab chal rahi hon laikin oos had tak na hil jul rahi ho keh namaazi ke badan ke thhara'o mein ha'el hon.

869. Gandum, jau aur iin jaisii dusri ajnaas ke dheir par jo hile jule baighair nahin rah sakte namaaz batil hai.

(Teesri shart) Zaruri hai keh insaan aisii jagah namaaz padhe jahan namaaz poori padh lene ka ehtemaal ho. Laikin agar kisi aisii jagah raja' ki niyyat se namaaz padhe jahan oose itminaan ho keh massalan hawa aur bearish ya bheed bhaad ki wajah se wahan poori namaaz na padh sakega ittefaaq se poori padh le to koii harj nahin.

870. Agar koi shakhs aisii jagah namaaz padhe jahan khada hona haraam hai massalan isi aisii makhdoosh chat ke niche jo anqareeb girne wali ho to goya woh goonah ka martakab hoga laikin oos ki nmaaaz sahi hogi.

871. Kisi aisii cheez cpar namaaz padhna, jis par khada hona namumkin ho ya baithhna haraam ho- massalan qaleen ke aiser hisse par jahan Allah T'ala ka naam likha ho agar qasd qurbat mein man'e ho jaaye to sahi nahin hai.

(Chawthhi shart) Jis jagah insaan namaaz padhe oos ki chat itni nichii na ho keh sidhaa khadac na ho sake aur na hi woh jagah itni mukhtasar ho keh ruku aur sajde ki goonja'ish na ho .

872. Agar koii shakhs aisii jagah namaaz padhne par majboor ho jahan bilkul sidhaa khada hona mumkin na ho to oos ke lie zaruri hai keh baithh kar namaaz padhe aur agar ruku aur sajood ada karne ka imkaan na ho to oos ke lie sar se ishara kare.

873. Zaruri hai keh Paighambar Akram Sallalaha Alaihe wa A'lehi wasallam aur A'iema Ahlebait Alaihimus salaam ki qaboor mutahhar ki janib pusht kar ke, agar oon ki be hurmati hoti ho to namaaz na padhe. Is ke a'lawa kisi aur surat mein ishkaal nahin. Laikin namaaz dono suraton mein sahi hai.

(Paanchvi shart) Agar namaaz padhne ki jagah najis aur najasat aisii ho keh jo namaaz ko batil kar dene wali ho to martoob na ho keh oos ki ratubat namaaz padhne waale ki badan ya lebaas tak pohoonche. Laikin agar sajde mein peshaani rakhne ki jagah naji ho to

khawah wohk husk bhi ho namaaz batil hai aur ehteyaat-e-mustahb hai keh namaaz ki jagah bilkul najis na ho .

(Chhatii shart) Ehteyaat-e-lazim ki bina par zaruri hai keh aurat mard se kam se kam itna pechhe khade ho keh sajda karne ki halat mein mard ke do zanoo ke barabar faasle par ho.

874. Agar koii aurat mard ke barabar ya aage khadii ho aur dono bek vaqt namaaz padhne lagen to ehteyaat-e-wajib ki bina par zaruri hai keh namaaz ko dobara padhen. Yehi hukm hai agar ek, dusre se opahle namaaz shuru kar de.

875. Agar mard aur aurat ek dusre ke barabar khade hon ya aurat aage khadii ho aur dono namaaz padh rahe hon laikin dono ke dirmiyaan deewar ya pardah ya koii aur aisii cheez ha'el ho keh ek dusre ko na dekh saken ya oon ke dirmiyaan das haathh se zayada faasla ho to dono ki namaaz sahi hai.

(Santvii shart) Namaaz padhne waale ki peshaani rakhne ki jagah, dozanoo aur pa'on ki angulian rakhne ki jagah se chaar milii hu'ee angulion ki miqdaar se zayada oonchii ya nichii na ho. Is massle ki tafseel sajde ke ehkaam mein aa;eegi.

876. Namahram mard aur aurat ka khaloot mein ek aisii jagah hona jahan goonah mein mubtala hone ka ehtemaal ho haraa hai aur ehteyaat-e-mustahab yeh hai keh aisii jagah namaaz na padhen.

877. Jis jagah sitar bajaya jar aha ho aur oos jaisii cheezein iste'maal ki ja rahi hon wahan namaaz padhna batil nahin hai go oon ka soonna aur iste'maal karna goonah hai.

878. Ehteyaat-e-wajib yeh hai keh ikhteyaar ki haalat mein khana K'aba ke andar aur oos ki chat ke uupar wajib namaaz na padhii jaaye. Laikin majboorii ki haalat mein koii ishkaal nahin hai.

879. Khana K'aba ke andar aur oos ki chat ke uupar nafla namaazein padhne mein koii harj nahin hai balkeh mustahab hai keh khan k"aba ke andar har rukn ke muqabil do raka't namaaz padhii jaaye.

Woh maqamaat jahan namaaz padhna mustahab hai

880. Islaam ki muqaddas shari'at mein bohut takeed ki gayee hai keh namaaz massjid mein padhii jaaye. Dooniya bhar ki saari massjidon mein sab se behtar massjidul haraam aur oos ke b'ad massjid Nabvi hai aur oos ke b'ad massjid Kufa aur oos ke b'ad massjid baitul muqaddas ka darjo hai. Oos ke b'ad shahar ki jam'a massjid aur oos ke b'ad mahalle ki massjid aur oos ke b'ad bazaar ki massjid ka number aata hai.

881. Aurat ke lie behtar hai keh namaaz aisii jagah padhe jo namahram se mahfooz hone ke lehaaz se dusri jagahon se behtar ho khawah woh jagah makaan ya massjid ya koii aur jagah ho.

882. A'eima Ahlebait Alaihemus salaam ke harmon mein namaaz padhna musthab hai balkeh massjid mein namaaz padhne se behtar hai aur riwaayat hai keh Hazrat Amirul momeneen Alaihemus salaam ke harm paak mein nazmaaz padhna do lakh namaazon ke barabar hai.

883. Massjid mein zayada jana aur oos massjid mein jana jahan log bohut kam namaaz padhne aate hain mustahab hai aur agar koii shakhs massjid ke pados mein rahta ho aur koii azr bhi na rakhta ho to oos ke lie massjid ke a'lawa koii aur jagah namaaz padhna makruh hai.

884. Jo shakhs massjid mein na aata ho, mustahab hai keh insaan oos ke saathh mil kar khana kha'e, apne kaamon mein oos se masshwara na kare, oos ke pados mein na rahe aur na oos se aurat ka rista le aur na oose rista de.

Woh maqamaat jahan namaaz padhna makruh hai

885. Chand maqamaat par namaaz padhna makruh hai jin mein se kuchh yeh hain:

(1) Hamaam
(2) Shor zada zameen
(3) Kisi insaan ke muqabil
(4) Oos darwaaze ke muqabil jo khula ho
(5) Sadak aur gali kuche mein bashart yeh keh guzarne waalon ke lie ba'es zehmat na ho aur agar oonhein zehmat ho to oon ke raaste mein rukaawat dalna haraam hai.
(6) ag aur chiraagh ke muqabil
(7) Baawarchii khane mein aur har oos jagah jahan aatish daan ho
(8) Aisii koonvein aur gadhe ke muqabil jis mein peshaab kiya jata ho
(9) Jaandaar ke photo ya mujjasme ke saamne magar yeh keh oose dhaanp diya jaaye.
(10) Aise kamre mein jis mein janoob shakhs maujood ho
(11) Jis jagah photo ho khawah woh namaaz padhne waale ke saamne na ho
(12) Qabr ke muqaabil
(13) Qabr ke uupar
(14) Do qabron ke dirmiyaan
(15) Qabristaan mein

886. Agar koii shakhs logon ki rahguzar par namaaz padh raha ho ya koii aur shakhs oos ke saamne khada ho to namaazi ke liye mustahab hai keh apne saamne koii cheez rakh le aur agar woh cheez lakdi ya rassi ho to bhi kaafi hai.

Massjid Ke Ehkaam

887. Massjid ki zameen, androoni aur bairooni chat aur androoni deewaar ko najis karna haraam hai aur jis shakhas ko pata chale keh oon se koii maqaam najis ho gaya hai to zaruri hai keh oos ki najaasat ko fauran door kare aur ehteyaat-e-mustahab yeh hai keh massjid ki deewaar ke bairooni hisse ko bhi najis na kiya ja'e aur agar woh najis ho jaaye to najaasat ka hatna lazim nahin. Laikin agar deewaar ka bairooni hissa najis karna massjid ki behurmati ka sabab ho to qat'an haraam hai aur iis qadr najaasat ka za'el karnaa keh jis se behurmati ho jaaye zaruri hai.

888. Agar koii shakhs massjid ko paak karne par qaadir na ho ya oose muddat ki zarurat ho jo dasteyaab na ho to massjid ka paak karna oos par wajib nahn laikin yeh samajhta ho keh agar dusre ko iitla' dega to yeh kaam ho jaayega aur najaasat ko wahan eahne denaa behurmati ka ba'es ho to zaruri hai keh oose itla' de.

889. Agar massjid ki koii aisii jagah najis ho gayee ho jise kho de ya tode baighair paak karna mumkin na ho to zaruri hai keh oos jagah ko kho dein ya todein jabkeh jazwii taur par kho dena ya todna pade ya behurmati ka khatm hona mukkamil taur apr kho de ya todne par maukoof ho, warna todne mein ishkaal hai. Jo jagah khodii gayee ho oose pur karna aur jo jagah todii gayee ho oose ta'meer karna wajib nahin hai laikin massjid ki koii cheez massalan iint agar najis ho gayee ho to mumkana surat mein oose paak kar ke zaruri hai keh oos ki aslii jagah par laga diya jaaye.

890. Agar massjid ghazb kar li jaaye aur oos ki jagah garh ya aisii hi koii chee ta'meer kar li jaaye ya massjid iis qadr toot foot jaaye keh oose massjid na kaha jaaye to oose najis karna haraam nahin aur oose paak karna wajib nahin.

891. Ai'ema Ahlebait Alaihmus Salaam mein se kisi Imam ka harm najis karna haraam hai. Agar oon ke harmo mein se koii harm najis ho jaaye aur oos ka najis rahnaa oos ki behurmati ka sabab ho to oos ka paak karna wajib hai balkeh ehteyaat-e-mustahab yeh hai keh khawah behurmati na hu'ee ho tab bhi paak kiyaa jaaye.

892. Agar massjid ki chataa'ee ya carpet najis ho jaaye to zaruri hai keh oose paak karein aur agar najis hisse ka kaat denaa behtar ho to zaruri hai keh oose kaat diya jaaye. Albatta ek qabil tawajja hisse ka kaat denaa ya iis tarah paak karna keh oos mein nuqs aa jaaye mahel ishkaal hai siwa'e iis ke keh tahaarat ko tark kar denaa behurmati ka sabab ho.
893. Agar kisi a'in najaasat ya najis shuda cheez ko massjid mein le jane se massjid ki behurmati hotii ho to oos ka massjid mein le jana haraam hai balkeh ehteyaat-e-mustahab yeh hai keh agar behurmati na hotii ho tab bhi a'in najaasat ko massjid mein na le jana jaaye siwaa'e oon cheezon ke jo insaan ke saathh hi massjid mein dakhil ho jaaye jaise zakhm ka khuoon badan ya lebaas mein laga hua ho.
894. Agar massjid mein majalis aza' ke liye qanaat taanii jaye aur farsh bichhaaya jaye aur sayaa parde latkaye jayen aur chaye ka saamaan andar le jaya jaye to agar yeh cheezein massjid ke liye nuqsaandeh na hon aur namaaz padhne mein bhi man'e na hotii hon to koii harj nahin.
895. Ehteyaat-e-wajib yeh hai keh massjid ki sone se zeenat Karen aur ehteyaat-e-mustahab yeh hai keh massjid ko insaan aur haiwaan ki tarah jaandaaron ki tasveeron se bhi na sajaya jaye.
896. Agar massjid toot photo bhi jaye tab bhi na to oose bechaa ja sakta hai aur na hi malkiat aur sadak mein shamil kiya ja sakta hai.
897. Massjid ke darwaazon, khidkion aur dusrii cheezon ka bechnaa haraam hai aur massjid toot photo jaye tab bhi zaruri hai keh oon cheezon ko oosi massjid ki marammat ke liye iste'maal kiya jaye aur agar oos massjid ke kaam kin a hon to zaruri hai keh kisi dusri massjid ke kaam mein laya jaye aur agar dusri massjidon ke kaam ki bhi na rahi hon to oonhain bechaa ja sakta hai aur jo raqam ho woh basurat imkaan oosi massjid ki marammat par, warna kisi dusri massjid ki marammat par kharch ki jaye.
898. Massjid ka ta'meer karna aur aisii massjid ki marammat karna jo makhdoosh ho mustahab hai aur agar massjid is qadr makhdoosh ho keh oos ki marammat mumkin na ho to oose giraa kar dobarah ta'meer kiya ja sakta hai balkeh agar massjid tooti phooti na ho tab bhi oose logon ki zarurat ki khatir giraa kar wasi' kiya ja sakta hai.
899. Massjid ko saaf suthhra rakhna aur oos mein chiraagh jalana mustahab hai aur agar koii shaklhs massjid mein jana chahe to mustahab hai keh khushboo lagaye aur paakeezah aur qimati lebaas pehne aur apne joote ke talwohn ke baare mein tehqeeq kare keh kahin najaasat to nahin lagii hu'ee. Neez yeh keh massjid mein dakhil hote vaqt pahle dayan pa'on aur bahar nikalte vaqt bayan pa'on rakhe aur isii tarah mustahab hai keh sab logon se pahle massjid mein aa'e aur sab se b'ad mein nikale.
900. Jab koii shakhs massjid mein dakhil ho to mustahb hai keh do rak'at namaaz taheet wa ehteraam massjid ki niyyat se padhe aur agar wajib namaaz ya koii aur mustahab namaaz padhe tab bhi kafi hai.
901. Agar insaan majboor na ho to massjid mein sona, dooniyawi kamon ke baare mein guftagu karna aur koii kaam kaaj karna aur aaise asa'ar padhna jin mein nasihat aur kaam ki koii baat na ho makruh hai. Nez massjid mein thuknaa, naak ki aala'esh phenkna aur balgham thukna bhi makruh hai balkeh b'azzz suraton mein haraam hai. Is ke a'lawa gumshuda (shakhs ya cheez) ko talaash karna aur aawaaz ko buland karna bhi makruh hai. Laikin adhan ke liye aawaaz buland karne ki mamani'at nahin hai.
902. Deewane ko massjid mein dakhil hone dena makruh hai aur isii tarah oos bachche ko bhi dakhil hone dena makruh hai jo namaazon ke liye ba'es zehmat ho ya ehtemaal ho keh woh massjid ko najis kar degaa. Iin do suraton ke a'lawa bachche ko massjid mein aane dene mein koii harj nahin balkeh b'az auqaat behtari isii mein hotii hai. Oos shakhs ka massjid mein jana

bhi makruh hai jis ne payaaz, lahsoon ya iin se mushaba koii cheez kha’ee ho keh jis ki boo logon ko nagawaar guzartii ho.

Adhan aur Iqaamat

903. Har marcd aur aurat ke liye mustahab hai keh rozana ki wajib namaazon se pahle adhan aur iqaamat kahe aur aisa karna dusrii wajib ya mustahab namaazon ke liye masshroor nahin laikin Eid Fitr aur Eid Qurbaan se pahle jabkeh namaaz jama’at padhein to mustahab hai keh teen martaba “salwaat” kahen.

904. Mustahab hai keh bachche ki paida’ish ke pahle din ya naaf ukhadne se pahle oos ke dayen kaan mein adhan aur bayen kaan mein iqaamat kahi jaye.

905. Adhan 18 jumlon par mushtamil hai:

Allahu Akbar	(four times)
Ash hadu an la ilaha illal lah	(twoh times)
Ash hadu anna Muhammadan Rasu lul lah	(twoh times)
Hayya'alas Salah	(twoh times)
Hayya'alal Falah	(twoh times)
Hayya'ala Khayril 'Amal	(twoh times)
Allahu Akbar	(twoh times)
La ilaha illal lah	(twoh times)

Aur Iqaamat ke 17 jumlein hain y’ani adhan ki ibteda se do martabah “Allahu Akbar” aur aakhir se ek martabah “La ilaha illal lah” kam ho jata hai aur “Hayya'ala Khayril 'Amal” kahne ke b’ad do daf’a “Qadqa matis salah” ka izaafa kar denaa zaruri hai.

906. Ash hadu anna Amiral Mu'minina 'Aliyyan Waliyyullah Adhan or Iqamah ka juz nahin hai. Laikin agar Ash hadu anna Muhammadan Rasulul lah ke b’ad qurbat ki niyyat se kaha jaye to achchha hai.

Allahu Akbar y’ani Khuda’e t’ala oos se buzurg tar hai keh oos ki t’areef ki jaye.

Ash hadu an la ilaha illal lah y’ani main gawahii detaa hoon keh yakta aur bemisal Allah ke a’lawa koii aur parastish ke qabil nahin hai.

Ash hadu anna Muhammadan Rasu lul lah y’ani main gawahii detaa hoon keh Hazrat Muhammad Sallalhu Alaihe Wa A’lehi wasallam Allah ke paighambar aur oos ki taraf se bejhe hu’e hain.

Ash hadu anna 'Aliyyan Amiral Mu'minina Waliyyullah main gawahii detaa hoon keh Hazrat Ali Alaih assalaam momeeno ke ameer aur tamaam makhlooq par Allah ke wali hain.

Hayya'alas Salah y’ani namaaz ki taraf jaldi karo.

Hayya'alal Falah y’ani rastagaari ke liye jaldi karo.

Hayya'ala Khayril 'Amal y’ani behtareen kaam ke liye jo namaaz hai jaldi karo.

Allahu Akbar y’ani biltehqeeq namaaz qayem ho gayee.

La ilaha illal lah y’ani yakta aur bemisal Allah ke a’lawa koii aur parastish ke qabil nahin.

907. Zaruri hai keh adhan aur iqaamat ke jumlon ke dirmiyaan zayada faasla na ho aur agar iin ke dirmiyaan m’amool se zayadah faasla rakha jaye to zaruri hai keh adhan aur iqaamat dobarah shuru se kahii jaye.

908. Agar adhan aur iqaamat mein awaaz ko gale mein ghuma’e aur kaifiyat yeh ho keh Ghana ho jaye y’ani iis tarah kahe keh lahu wa lo’ab aur khel kood ki mehfilon mein awaaz nikaalne ka dastoor hai to woh haraam hai aur agar Ghana na ho to makruh hai.

909. Tamaam suraton mein jabkeh namaazi mushtarik vaqt rakhne wali do namaazon ko pai dar pai adaa kare, agar oos ne aphlii namaaz ke liye adhan kahii ho to b'ad wali namaaz ke liye adhan saqit hai. Khawah do namaazon ka jam'a karna behtar na ho ya ho maslan a'rfa ke din jo 9th zilhajja ka din hai, agar zohur ke fazilat ke vaqt mein namaaz padhe to zohur aur a'sr ki namaazon ka jam'a karna, chaahe woh shakhs khud maidaan a'rfaat mein na ho aur Eid Qurbaan ki raat mein maghrib aur Isha' ki namaazon ka jam'a karna oos shakhs ke liye jo massh'aral haraam mein ho aur oon namaazon ko isha' ke fazilat waale vaqt mein jam'a kare. Iin suraton mein adhan saqit hone ki shart yeh hai keh do namaazon ke dirmiyan zayada faasla ho laikin nafl aur t'aqeebat padhne se koii farq nahin padta aur ehteyaat-e-wajib yeh hai keh iin suraton mein adhan masshrue'at ki niyyat se na kahii jaye balkeh roz a'rfa aur massh'r wali suraton ke liye bayaan shuda shar'et ke hote hu'e adhan kahna khilaaf ehteyaat hai agar che masshrooe'at ki niyyat se na ho.

910. Agar namaaz jama'at ke liye adhan aur iqaamat kahii ja chuki ho to jo shakhs oos jama'at ke saathh namaaz padh raha ho oos ke liye zaruri hai keh apni namaaz ke liye adhan aur iqaamat na kahe.

911. Agar koii shakhs namaaz ke liye massjid mein jaye aur dekhe keh namaaz jama'at khatm ho chukii ho to jab tak safein toot na jayen aur log moontashir na ho jayen woh apni namaaz ke liye adhan aur iqaamat na kahe y'ani iin dono ka kahna musthaba takeed nahin balkeh agar adhan dena chahta ho to behtar yeh hai keh bohut ahesthha kahe. Agar dusrii namaaz jama'at qayem karna chahta ho to hargiz adhan aur iqaamat na kahe.

912. Pichhle massle mein mazkurah surat ke a'lawa 6 sharton ke saathh adhan aur iqaamat saqit ho jaati hai:

(1) Namaaz jama'at massjid mein ho aur agar massjid mein na ho to adhan aur iqaamat saqit nahin hogii.

(2) Oos namaaz ke liye adhan aur iqaamat kahi ja chukii ho.

(3) Namaaz jama'at batil na ho.

(4) Oos shakhs ki namaaz aur namaaz jama'at ek hi jagah par ho lehaza agar namaaz jama'at msjid ke andar padhi jaye aur woh shakhs massjid ki chhat par namaaz padhna chaahe to mustahab hai keh adhan aur iqaamat kahe.

(5) Namaaz jama'at ada ho. Laikin iis baat ki shart nahin keh khud oos ki namaaz bhi farada hone ki surat mein ada ho.

(6) Oos shakhs ki namaaz aur namaaz jama'at ka vaqt mushtarak ho. Massalan dono namaaz zohur ya dono namaaz a'sr padhein ya namaaz zohur jama'at se padhii ja rahi ho aur woh shakhs namaaz a'sr padhe yaw o shakhs zohur ki namaaz padhe aur jama'at ki namaaz A'sr ki namaaz ho aur agar jama'at namaaz a'sr aakhirii vaqt mein padhii jaye aur woh chahe keh maghrib ki namaaz ada padhe to adhan aur iqaamat oos par se saqit nahin hogii.

913. Jo shartein sabeqah massle mein bayaan kii gayee hain agar koii shakhs oon mein se teesrii shart ke baare mein shak kare y'ani oose shak ho keh jama'at ki namaaz sahi thhi ya nahin to oos par se adhan aur iqaamat saqit hai. Laikin agar woh dusrii paanch shara'et mein se kisi ek ke baare mein shak kare to behtar hai keh adhan aur iqaamat kahe. Albatta agar jama'at ho to zaruri hai keh raja' ki niyyat se kahe.

914. Agar koii shakhs kisi dusre ki adhan jo a'laan ya jama'at ki namaaz ke liye kahii jaye, suoone to mustahab hai keh oos ka jo hissa suoone khud bhi oose aahesthha aahesthha dohraye.

915. Agar kisi shakhs ne kisi dusre ke adhan aur iqaamat suoonii ho khawah oos neo on jumlon ko dohraya ho ya na dohraya ho to agar oos adhan aur iqaamat aur oos namaaz ke

dirmiyaan jo woh apnii namaaz ke liye oos adhan aur iqaamat par iktefa' kar sakta hai. Laikin yeh hukm oos namaaz jama'at ke liye mehal ishkaal hai keh jahan adhan sirf Imam jama'at ne ya sirf mamoomeen ne suooni ho.

916. Agar koii mard, aurat ki adhan ko lizzzat ke qasd se suoone to oos ki adhan saqit nahin hogii balkeh aurat ki adhan suoon kar adhan ka saqit honaa mutlaqan mehal ishkaal hai.

917. Zaruri hai keh namaaz jama'at ki adhan aur iqaamat mard kahe laikin auraton ki namaaz jama'at mein agar aurat adhan aur iqaamat kah de to kafi hai aur aisii jama'at mein aurat ke adahn wa iqaamah par iktefa' karna jis ke mard, aurat ke mahram hon mehal ishkal hai.

918. Zaruri hai keh Iqaamat, adan ke b'ad kahii jaye a'lawa azein iqaamat mein mo'atbar hai keh khade ho kar aur hadas se paak ho keh (wazu ya ghusl ya tayyamum kar ke) kahii jaye.

919. Agar koii shakhs adhan aur iqaamat ke jumle baighair tarteeb ke kahe massalan hayya alal falah ka jumlah hayya alas salah se pahle kahe to zaruri hai keh jahan se tarteeb bigadii ho wahan se dobarah kahe.

920. Zaruri hai keh adhan aur iqaamat ke dirmiyaan faaslah na ho aur agar oon ke dirmiyaan itna faaslah ho jaye keh jo adhan kahii ja chukii hai oose oos Iqaamat ki adhan shuumar na kiya ja sake to adhan batil hai. A'lawa azein agar adhan aur iqaamat ke aur namaaz ke dirmiyaan itna faaslah ho jaye keh adhan aur iqaamat oos namaaz ki adhan aur iqaamat shuumar na to adhan aur iqaamat batil ho jayenge.

921. Zaruri hai keh adhan aur iqaamat sahii a'rabi mein kahii jaye. Lehaza agar koii shakhs oonhein galat arabi mein kahe ya ek harf ki jagah koii dusra harf kahe ya massalan oon ka tarjuma urdu zabaan mein kahe to sahii nahin hai.

922. Zaruri hai keh adhan aur iqaamat, namaaz ka vaqt dakhil hone ke b'ad kahii jayein aur agar koii shakhs amadan ya bhool kar vaqt se pahle kahe to to batil hai. Magar aisii surat mein jabkeh wast namaaz mein vaqt dakhil ho to oos namaaz par sahi ka hukm lagega keh jis ka massla 732 mein zikr ho chukka hai.

923. Agar koii shakhs Iqaamat kahne se pahle shak kare keh adhan kahii hai ya nahin to adan kahe aur Iqaamat kahne mein masshghuul ho jaye aur shak kare keh adhan kahii hai ya nahin to adhan kahnaa zaruri nahin.

924. Agar adhan aur iqaamat kahne ke dauraan koii jumla kahne se pahle ek shakhs shak kare keh oos ne oos se pahle wala jumla kaha ya nahin to zaruri hai keh jis jumle ki ada'egii ke baare mein oose shak hua ho oose ada kare. Laikin agar oose adhan aur iqaamat ka koii jumla ada karne ke dauraan shak ho keh oos ne oos se pahle wala jumla kaha hai ya nahin to oos jumle ka kahna zaruri nahon.

925. Mustahab hai keh adhan kahte vaqt insaan qible ki taraf moonh kar ke khada ho aur wazu ya ghusl ki halat mein ho aur haathon ko kaano par rakhe aur awaaz buland kare aur khinche aur adhan ke jumlon ke dirmiyaan qadre faasla de aur jumlon ke dirmiyaan baatein na kare.

926. Mustahab hai keh iqaamat kahte vaqt insaan ka badan sakin ho aur adhan ke muqabil iqaamat aheshthha kahe aur oos ke jumlon ko ek dusre se mila na de laikin iqaamat ke jumlon ke dirmiyaan itna faasla na de jitna adhan ke jumlon ke dirmiyaan deta hai.

927. Mustahab hai keh adhan aur iqaamat ke dirmiyaan ek qadam age badhe ya thodi deir ke liye baithh jaye ya sajda kare ya zikr kare ya du'a padhe ya thodii deir ke liye saqit ho jaye ya koii baat kare ya do rak'at namaazc padhe laikin namaaz fajr ki adhan aur iqaamat ke dirmiyaan kalaam karna mustahab nahin hai.

928. Mustahab hai keh jis shakhs k adhan dene par muqarrur kiya jaye woh a'dil aur a'qil ho, nez yeh keh buland ahnag ho aur uoonchii jagah par adhan de.

Namaaz ke wajibaat

Wajibaat namaaz 11 hain :

(1) Niyyat (2) Qayaam (3) Takbeeratul ehraam y'ani Allahu Akbar kahna
(4) Rukn (5) Sajuud (6) Qir'at
(7) Zikr (8) Tashaddud (9) Salaam
(10) Tarteeb (11) Mawalaat y'ani ajza'e namaaz ka pai dar pai baja laana.

929. Namaaz ke wajibaat mein se b'az oos ke rukn hain y'ani agar insaan oonhein baja na laye to khawah aisa karna amadan ho ya ghalti se ho namaaz batil ho jatii hai aur b'az wajibaat rukn nahin hain y'ani agar woh ghalti se chhuut jayen to namaaz batil nahi hotii.

Namaaz ke arkaan paanch hain :

(1) Niyyat
(2) Takbeeratul ehraam (y'ani namaaz shuru karte vaqt "Allahu Akbar" kahna)
(3) (3) Ruku' se mutasil qayaam y'ani ruku' mein jane se pahle khada hona.
(4) Ruku'
(5) Har rak'at mein do sajde. Jahan tak izaafe ka t'aluuq hai agar izaafa amadan ho to baighair kisi shart ke namaaz batil hai. Agar ghalti se ruku' mein ya ek hi rak'at ke do sajdon mein izaafe se ehteyaat-e-lazim ki bina par namaaz batil hai warna batil nahin.

930. Zaruri hai keh insaan namaaz qurbat ki niyyat se y'ani Khuda vand a'lam kii bargaah mein pastii aur khazu' ke izhaar ke lioye padhe aur yeh zaruri nahi keh niyyat ko apne dil se guzaare ya maslan zabaan se kahe keh chaar rak'at namaaz zohur padhta hoon Qurbatan Illal lah.

931. Agar koi shakhs zohur ki namaz mein ya asr ki namaaz mein niyyat kare keh chaar rak'at namaaz padhtaa hoon laikin iis amr ka t'aeen na kare keh namaaz zohur ki hai ya asr ki to o ski namaaz batil hai. Alabaat itnaa bhi kafi hai keh namaaz zohur ko pahli namaaz aur asr ki namaaz ko dusrii namaaz ke taur par mo'een kare. Isii tarah agar kisi shakhs par namaaz zohur ki qaza wajib ho aur woh oos qaza namaaz ya namaaz zohur ko "zohur ke vaqt" mein padhna chaahe to zaruri hai keh jo namaaz woh padhe niyyat mein oos ka ta'een kare.

932. Zaruri hai keh insaan shuru' se aakhir tak apnii niyyat par qaayam raahe. Agar woh namaaz mein oos tarah gahfil ho jaye keh agar koii puuchhe keh woh kya kar raha hai to oos ki samajh mein na aye keh kya jawaab de to oos ki namaaz batil hai.

933. Zaruri hai keh insaan faqt Khudavand a'lam ki bargah mein apnii pastii ke izhaar ke liye namaaz padhe pas jo shakhs raya kare y'ani logon ko dhikhane ke liye namaaz padhe to oos ki namaaz batil hai khawah yeh namaaz padhna faqt logon ko ya khuda aur logon dono ko dhikane ke liye ho.

934. Agar koii shakhs namaaz ka kuchh hissa bhi Allah t'ala jal shana ke a'lawa kisi aur ke liye baja laye khawah woh hissa wajib ho massalan Surah Alhamd ya musatahab ho massalan qoonuut, agar ghair Khuda ka yeh qasd puuri namaaz mein shara'et kar jaye massalan reya ka iraada iis aml mein ho jo oos hisse par mushtamil hai ya kaifiat yeh hai keh agar oos hisse ko dobarah anjaam dein to namaaz mein aisa izaafa ho jata ho jis se namaaz batil ho jatii ho, to namaaz batil hai. Agar namaaz to Khuda ke liye padhe laikin logon ko dikhane ke liye kisi khas jagah massalan massjid mein padhe ya kisi khas vaqt massaln awwal vaqt mein padhe ya kisi khas qaede se massalan jama'at padhe to oos ki namaaz bhi batil hai.

Takbeeratul Ehraam

935. Har namaaz ke shuru' mein Allahu Akbar kahna wajib aur rukn hai aur zaruri hai keh insaan Allah ke haroof aur Akbar ke haroof aur Allahu aur Akbar ke alfaaz pai dar paikahe aur

yeh bhi zaruri hai keh yeh do lafz sahi arabi mein kahe jayen aur agar koii shakhs ghalt arabi mein kahe ya msalan oon ka tarjuma kar ke kahe to sahi nahin hai.

936. Ehteyaat-e-mustahab yeh hai keh insaan namaaz ki takbeeratul ehraam ko oos cheez se massalan iqaamat ya du'a se jo woh takbeer se pahle padh raha ho na milaye.

937. Agar koii shakhs chaahe keh Allahu Akbar ko oos jumle ke saathh jo b'ad mein padhna massalan Bismillah hir rehmaan nir rahim se milaye to behtar yeh hai keh Akbar ke akhirii harf "r"par pesh de. Laikin ehteyaat-e-mustahab yeh hai keh wajib namaaz mein se na milaye.

938. Namaaz mein takbeeratul ehraam kahte vaqt zaruri hai ke badan sakin ho aur agar koi shakhs jaan bhoojh kar oos halat mein takbeeratul ehraam kahe keh oos ka badan harkat mein ho to (oos ki takbeer) batil hai.

939. Zaruri hai keh takbeer, alhamd, surah zikr aur du'a itnii awaaz se padhe keh kam az kam khud suoon sake aur agar uooncha soonne ya behra hone ki wajah se ya shor-o-gul ki awaaz se na suoon sake to iis tarah kahna zaruri hai keh agar koi rukavat na ho to suoon le.

940. Jo shakhs kisi beemari ki bina par goonga ho jaye ya oos ki zabaan mein koi nuqs ho jis ki wajah se Allahu Akbar na kah sakta ho to zaruri hai keh jis tarah bhi mumkin ho oos tarah kahe aur agar bilkul hi na kah sakta ho to zaruri hai keh dil mein kahe aur iis ke liye anguli se iis tarah ishara kare keh jo takbeer se moonasib rakhta ho aur agar ho sake to zabaan aur honth ko bhi harkat de aur agar koii paidaish goonga ho to oos ke liye zaruri hai keh woh apni zabaan aur hont ko iis tarah harkat de keh jo kisi shakhs ke takbeer kahne se mushaba ho aur oos ke liye apni anguli se bhi ishara kare.

941. Achchha hai keh insaan takbeeratul ehraam se pahle raja' ki niyyat se kahe :

"Ya muhsino qad atakal musii'o wa qad amartal muhsina ay yataja waza a'nil musii'e antal muhsino wa anal musii'o behaqqe muhammadiw wa a'le muhammadin sale a'la muhammdiw wa a'le muhammadiw wa tajawaz a'n qabi'e ma t'alamo minni"

(Y'ani) aye apne bando par ehsaan karne waale Khuda! Yeh goonahgaar banda teri bargah mein aaya hai aur tuu ne hukm diya hai keh nek log goonahgaaro se darguzar Karen. Tuu ehsaan karne wala hai aur main goonahgaar hoon. Muhammad (sallallahu alaihe wa a'lehi wasallam) aur ale muhammad (alaihemus salaam) ke tufail, Muhammad (sallallahu alaihe wa a'lehi wasallam) aur ale muhammad (alaihemus salaam) par apni rehmatein nazil farma aur meri buuraion se jinhein tuu janta hai darguzar farma.

942. Mustahab hai keh namaaz ki pahli takbeer aur darmiyani takbeerein kahte vaqt haathon ko kaano ke barabar tak le jaye.

943. Agar koi shakhs shak kare keh takbeeratul ehraam kahi hai ya nahin jabkeh qira't mein masshghuul ho chukka ho to apne shak ki parwa na kare aur agar abhi kuchh na padha ho to zaruri hai keh takbeer kahe.

944. Agar koii shakhs takbeeratul ehraam kahne ke b'ad shak kare keh sahi tariqe se takbeer kahi hai ya nahin to khawah oos ne aage kuchh padha ho ya na padha ho apne shak ki parwah na kare.

Qayaam y'ani khada hona

945. Takbeeratul ehraam kahne ke mauqe' par qayaam aur ruku' se pahle wala qayaam- Qayaam mutasil ba ruku'- rukn hai. Laikin alhamd wa surah padhne ke mauqe' par qayaam aur ruku' ke b'ad qayaam rukn nahin hai jise agar koi shakhs bhool chuuk ki wajah se tark kar de to oos ki namaaz sahi hai.

946. Takbeeratul ehraam kahne se pahle aur oos ke b'ad thhodi deir ke liye khada hona wajib hai takeh yaqeen ho jaye keh takbeer qayaam ki haalat mein kahi gayee hai.

947. Agar koi shakhs ruku’ karna bhool jaye aur alhamd aur surah ke b’ad baithh jaye aur phir oose yaad aaye keh ruku’ nahin kiye to zaruri hai keh khada ho jaye aur ruku’ mein jaye. Laikin agar seedha khada hue baighair jhuke hone ki halat mein ruku’ kare to choonakhe woh qayaam mutasil bar ruku’ baja nahin laya iis liye oos ka yeh ruku’ kafaiat nahin karta.
948. Jis vaqt ek shakhs takbeeratul ehraam ya qir’at ke liye khada ho zaruri hai keh chal na raha ho aur kisi taraf na jhuke aur ehteyaat-e-lazim ki bina par badan ko harkat na de. Ikhteyaar ki halat mein kisi jagah teik na lagaye laikin agar aisa karna ba amr majboori ho to koi harj nahin.
949. Agar qayaam ki haalat mein koi shakhs bhoole se chal pade ya kisi taraf jhuk jaye ya kisi jagah teik lagaye to koi harj nahin hai.
950. Ehteyaat-e-wajib yeh hai keh qayaam ke vaqt insaan ke dono pa’on zameen par hon laikin yeh zaruri nahin keh badan ka bhojh dono pa’on par ho choonanche agar ek pa’on par bhi ho to koi harj nahin.
951. Jo shakhs thik taur par khada ho sakte ho agar woh apne pa’on ek dusre se itne juda rakhe keh oose khada hona na kiya ja sake to oos ki namaaz batil hai balkeh agar khada hona kaha ja sake tab bhi ehteyaat-e-wajib ki bina par zaruri hai keh pairon ko bohut zayada khula na rakhe.
952. Jab insaan namaaz mein koi wajib zikr padhne mein masshguul ho to zaruri hai keh oos ka badan sakin ho aur jab mustahab zikr mein masshghuul ho tab bhi ehteyaat-e-lazim ki bina par yahi hukm hai aur jis vaqt woh qaadre aage ya pichhe hona chahe ya badan ko dayen ya bayen janib thodi harkat dena chahe to zaruri hai keh oos vaqt kuchh na padhe.
953. Agar mutahrk badan ki halat mein koi shakhs mustahab zikr padhe massalan ruku’, sajde mein jaane ke vaqt takbeer kahe aur oos zikr ke qaasd se kahe jisw ka namaaz mein hukm hai to woh zikr sahi nahin laikin oos ki namaaz sahi hai. Zaruri hai keh insaan “ behaulil lahe wa quwatehi aqumo wa aq’uud” oos vaqt kahe jab khada ho raha ho.
954. Haathon aur angulion ko alhamd padhte vaqt harkat dene mein koi harj nahin agarche ehteyaat-e-mustahab yeh hai oonhein bhi harkat na di jaye.
955. Agar koi shakhs alhamd aur surah padhte vaqt ya tasbeehath padhte vaqt beikhteyaar itni harkat kare keh badan ke sakin hone ki haalat se kharij ho jaye to ehteyaat-e-mustahab yeh hai keh badan ke dobara sakin hone par jo kuchh oos ne harkat ki haalat mein padha thaaq, dobarah padhe.
956. Namaaz ke auraan agar koi shakhs khada hone ke qabil na rahe to zaruri hai keh baithh jaye aur agar baithh bhi na sakta ho to zaruri hai keh lait jaye laikin jab tak oos ke badan ko sakuoon hasil na ho zaruri hai keh koi wajib zikr na padhe.
957. Jab tak insaan khada ho kar namaaz padh sakta ho zaruri hai keh na baithe massalan agar khada hone ki haalat mein kisi ka bandan harkat karta ho to woh kisi par taik lagane par ya badan ko thhoda tedha karne par majboor ho to zaruri hai keh jaise bhi ho sake khada ho kar namaaz padhe laikin agar woh kisi tarah khada na ho sakta ho to zaruri hai keh seedha baithh jaye aur baithh kar namaaz padhe.
958. Jab tak insaan baithh sake zaruri hai keh namaaz lait na padhe aur agar woh seedha ho kar na baithh sake to zaruri hai keh pahlu ke bal iis tarah laite keh oos ke badan ka agla hissa qibla rukh ho. Ehteyaat-e-lazim ki binaa par zaruri hai keh jab tak dayen pahlu par lait sakta ho ya bayen pahlu par na laite aur agar dono taraf leitna mumkin na ho to pusht ke bal iis terah leite keh oos ke talve qibla ki taraf hon.
959. Jo shakhs baithh kar namaaz padh raha ho agar woh alhamd aur surah padhne ke b’ad khada ho sake aur ruku’ mein khada hokar baja la sake to zaruri hai keh khada ho jaye aur qayaam ki haalat se ruku’ mein jaye aur agar aisa na kar sake to zaruri hai keh ruku’ bhi baithh kar baja laye.

960. Jo shakhs lait kar namaaz padh raha ho agar woh namaaz ke dauraan iis qabil ho jaye keh baithh sake to zaruri hai keh namaaz ki jitni miqdaar mumkin ho baithh kar padhe aur agar khada ho sake to zaruri hai keh jitni miqdaar mumkin ho khada hokar padhe laikin jab tak oos ke badan ko sukoon hasil na ho jaye zaruri hai keh koi wajib zikr na padhe.
961. Jo shakhs baithh kar namaaz padh raha ho agar namaaz ke dauraan iis qabil ho jaye keh khada ho sake to zaruri hai keh namaaz ki jitni miqdaar mumkin ho khada ho kar padhe laikin jab tak oos ke badan ko sukoon hasil na ho jaye zaruri hai keh koi wajib zikr na padhe.
962. Agar kisi aise shakhs ko jo khada ho sakta ho yeh khauf ho keh khada hone se beemaar ho jayega ya oose koi takleef hogi to woh baithh kar namaaz padh sakta hai aur agar baithhne se bhi takleef ka dar ho to lait kar namaaz padh sakta hai. Agar janta ho keh mukhtasar vaqt ke liye hi khada ho payega to zaruri hai keh qayaam mutasil bar ruku' ke liye khada ho.
963. Agar insaan akhir vaqt tak khade hokar namaaz ki ada'egii se mayoos na ho aur awwal vaqt mein namaaz padh le aur akhir vaqt mein khada hone par qadir ho jaye to zaruri hai keh woh dobara namaaz padhe laikin agar khada hokar namaaz padhne se mayoos ho aur awwal vaqt mein namaaz padh le b'ad adhan woh khade hone ke qabil ho jaye to zaruri nahin keh dobara namaaz padhe.
964. Musatahab hai keh qayaam ki haalat mein jism seedha rakhe, kandho ko niche ki taraf dhila chod de, hathon ko raano par rakhe, angulion ko baham milakar rakhe, nigaah sajde ki jagah par markuuz rakhe, badan ka bojh dono pa'on par yaksa dale, khushu' wa khuzu' ke sathh khada ho, pa'on age pichhe na rakhe aur agar mard ho to pa'on ke dirmiyaan teen phailii hue angulion se le kar ek balish tak ka fasla rakhe aur aurat ho to dono pa'on milakar rakhe.

Qir'at

965. Zaruri hai keh insaan rozana ki wajib namaazon ki pahli aur dusri rak'at mein pahle alhamd aur phir kisi ek surah ki tilawat kare aur ehteyaat wajib yeh hai keh ek mukamil surah ki tilawat kare. Waqlzoha aur Almansharah ki suratein aur isii tarah surah feil aur surah quraish Ehteyaatt ki bina par namaaz mein ek surat shumar hoti hai.
966. Agar namaaz ka vaqt tang ho ya insaan kisi majboori ki wajah se surah na padh sakta ho massalan oose khauf ho keh agar surah padhega to chor ya darinda ya koii aur cheez oose nuqsaan pohooncha'egi ya oose koii zaruri kaam ho to agar woh chahe to surah na padhe balkeh vaqt tang hone ki surat mein aur khauf ki b'az haalaton mein zaruri hai keh woh surah na padhe.
967. Agar koii shakhs jaan bhujh kar alhamd se pahle surah padhe to oos ki namaaz batil hogi laikin agar ghalti se alhamd se pahle surah padhe aur padhne ke dauraan yaad aye to zaruri hai keh surah ko chod de aur alhamd padhne ke b'ad surah shuru' se padhe.
968. Agar koii shakhs alhamd aur surah ya iin mein se kisi ek ka padhna bhool jaye aur ruku' mein jane ke b'ad oose yaad aaye to oos ki namaaz sahi hai.
969. Agar ruku' ke liye jhukne se pahle kisi shakhs ko yaad aaye keh oos ne alhamd aur surah nahin padha to zaruri hai keh padhe aur agar yeh yaad aaye keh surah nahin padha to zaruri hai keh faqt surah padhe laikin agar oose yaad aaye keh faqt alhamd nahin padhi to zaruri hai keh pahle alhamd aur oos ke b'ad dobara surah padhe aur agar jhuk bhi jaye laikin ruku' ki had tak pohoonchne se pahle yaad aaye keh alhamd aur surah ya faqt surah ya faqt alhamd nahin padhi to zaruri hai keh khada ho jaye aur isii hukm ke mutabiq a'ml kare.
970. Agar koii shakhs jaan bhoojh ke farz namaaz mein oon chaar suron mein se koi ek surah padhe jin mein ayah-e-sajda ho aur jin ka zikr massla no 354 mein kiya gaya hai to wajib hai ke ayah-e-sajda padhne ke ba'd sajda kare.laikin agar sajda ba'ja laaye laaye to ehteyaat ki bina par namaaz baatil hai aur zaruri hai ke oose dobaara padhe siwaaye iske ke oosne bhoole se sajda kar

liya hoaur agar sajda na kare to apni namaaz jaari rakh sakta hai aur agarche sajda na karke oosne goonaah kiya hai.

971. Agar koi shakhs aisa surah padhna shuru kar de jis mein sajda waajib ho laikin ayah-e-sajda par pohoonchne se pehle oose khayaal aa jaaye to oos sure ko chodkar koi aur surah padh sakta hai aura ayah-e-sajda padhne ke ba'd khayaal aaye to zaruri hai ke jis tarah sabeqa massle mein kaha gaya hai a'ml kare.

972. Agar koi shakhs namaaz ke dauraan kisi dusre shakhs ko ayah-e-sajda padhte hue suoone to ooski namaaz sahi hai aur agar koi wajib namaaz padh raha ho to ehteyaat ki bina par sajde ka ishaara kare aur namaaz khatm karne ke ba'd ooska sajda ba'ja laaye.

973. Mustahab namaaz mein surah padhna zaruri nahi hai khawah woh namaaz mannat maanne ki wajah se waajib hi kyoon na ho gayi ho. Laikin koi shakhs baaz aisi mustahab namaazein oon ke ehkaam ke mutabiq padhna chahe maslan namaaz-e-wehshat ke jin mein maqsoos surtein padhni hoti hai to zaruri hai ke wahi surtein padhe.

974. Jummah ki namaaz mein aur jummah ke din fajr, zuhr aur asr ki namaazon aur shab-e-jummah ki isha ki namaaz mein pehli rak'at mein al-hamd ke ba'd surah-e-jummah aur dusri rak'at emin al-hamd ke ba'd surah-e-moonafeqoon padhna mustahab hai.agar koi shakhs jummah ki namaazon mein oon mein se koi ek surah padhna shuru kar de to ehteyaat-e-waajib ki bina par oose chod kar koi aur surah nahi padh sakte.

975. Agar koi shakhs al-hamd ke ba'd surah-e-ikhlaas ya kaaferoon padhne lage to woh oose chod kar koi dasra surah nahi padh sakta albatta agar namaaz-e-jummah ya jummeh ke din ki namaazon mein bhoolkar surah-e-jumma aur surah-e-moonafeqoon ke baja'ye oon do surton mein se koi surah padhe to oonhein chod sakta hai aur surah-e-jumma aur surah-e-moonafeqoon padh sakta hai aur ehteyaat yeh hai ki agar nifs tak padh chuka ho to phir oon suron ko na chode.

976. Agar koi shaks jummah ki namaaz ya jummah ke din ki namazon mein jaan bhoojh kar surah-e-ikhlaas ya surah-e-kaferoon to khwha wohn ifs tak na pohooncha ho to ehteyaat-e-waajib ki bina par oonein chod kar surah-e-jummah aur surah-e-moonafeqoon nahi padh sakta.

977. Agar koi shakhs namaaz mein surah-e-ikhlaas ya surah-e-kaferoon ke al'awa koi aur surah padhe to jab tak nifs tak nahi pohooncha ho oose chod sakta hai aur dasra surah padh sakta hai. Nifs tak pohoonchne ke ba'd baghair kisi wajah ke oos sure ko chod kar koi aur surah padhna ehteyaat ki bina par jaayez nahi hai.

978. Agar koi shakhs kisi sure ka hissa bhol jaye yaa ba amre majboori maslan vaqt ki tangi ya kisi aur wajah se oose muqammal na kar sake to woh oos surah ko chodkar koi dasra surah padh sakta hekhwha nifs tak hi pohoonch chuka ho ya woh surah-e-ikhlaas ya surah-e-kaferoon hi ho aur bhool jaane ki suurat mein jitni miqdaar padh hai oos par iktefaa kar sakta hai.

979. Mard par ehteyaat ki bina par waajib hai ke subha, maghrib aur isha ki namaazon mein al-hamd aur surah buland awaaz se padhe aur mard aur aurat par ehteyaat ki bina par waajib hai ke namaaz-e-zuhr,asr mein al-hamd aur surah aahista padhe.

980. Ehteyaat ki bina par zaruri hai ke mard subah, maghrib aur isha mein khayaal rakheke al-hamd aur surah ke tamaam kalemaat hatta ke oon ke aakhri huroof tak buland awaaz mein padhe.

981. Subh, maghrib aur isha ki namaaz mein aurat al-hand aur surah buland ya aahista awaaz mein jaise chahe padh sakti hai.laikin agar na mehram ooski awaz suoon raha ho aur ooska suoonna haraam ho to ehteyaat ki bina par aahista padhe.aur kifaayat yeh ho ki oose apni awaaz suoonana haraam ho to zaruri hai ke aahista padhe aur agar jaan bhoojh ke buland awaaz se pahe to ehteyaat ki bina par namaaz baatil hai.

982. Agar koi shakhs jis namaaz ko buland awaaz se padhna zaruri hai oose amdan aahista padhe ya jo namaaz aahista padhni zaruri hai oose amdan buland awaaz se padhe to ehteyaat ki

bina par ooski namaaz baatil hai laikin agar bhool jaane ki wajah se ya massla na jaane ki wajah se aisa kare to sahi hai.neiz al-hamd aur surah padhne ke dauraan bhi agar woh mutawjjeh ho jaaye ke oose ghalti huii hai to zaruri nahi hai ke namaaz ka jo hisa padh chuka hai oose dobaara padhe.

983. Agar koi shakhs al-hamd aur surah padhne ke dauraan apni awaaz maamool se zyaada buland kare maslan oon surton ko aise padhe jaise ke faryaad kar raha ho to ooski namaaz baatil hai.

984. Insaan ke liye zaruri hai ke namaaz ki qiraat sahi padhe aur jo shakhs kisi tarah bhi poore surah-e-hamd ko sahi na padh sakta ho to jis tarah bhi padh sakta ho padhe jabke al-hamd ki sahi padhi jaane waali miqdaar bhi ek qaabil tawjjeh miqdaar ho.laikin agar woh miqdaar bohut kam ho to ehteyaat-e-waajib ki bina par quran ke dusre suron mein se jis qadr sahi padh sakta ho ooske saath mila kar padhe aur agar aisa na kar sakta ho to to tasbih ko ooske saath mila kar padhe aur agar koi shakhs al-hamd ke ba'd padhe jaane waale poore sureh ko na sheekh sakta ho to zaruri nahi hai ke ooske badle kuch padhe.har haal mein ehteyaat-e-mustahab yeh hai ke namaaz ko jama'at ke saath baj'a laaye.

985. Agar kisi ko al-hamd achi tarah yaad na ho to zaruri hai ke apni zimmedaari ada karne ki koshish kare chahe is tarah se ke al-hamd seekh le,koi oose phadaaye aur woh padh le.namaaz-e-jama'at mein kisi ki iqtedaar karle ya shak ki suurat mein namaaz ko dohraa le aur agar vaqt tang ho aur woh oos tarah padhe jaise ke ghuzishta massle mein kaha gaya hai.to ooski namaaz sahi hai laikin agar al-hamd na seekhne mein ooske apna kusur hoto agar mumkin ho to azaab se bachne ke liye jama'at ke saath namaaz padhe.

986. Wajibaat-e-namaaz sikaahne ke liye oojrat lena ehteyaat ki bina par haraam hai .laikin mustahabaat-e-namaaz sikhaane ke liye oojrat lena jayez hai.

987. Agar koi shakhs al-hamd aur surah ka koi lafz jaan bhoojh ke a jehle-e-taqseeri ki wajah se na padhe ya ek harf ke ba'jaaye dusre harf kahe maslan zwaad ke ba'jaaye ze ya zaal kahe ya zer aur zabar ka oos tarah khayaal na rakhe ke ghalat ho jaaye ya tashdeed na padhe to ooski namaaaz baatil hai.

988. Agar insaan ne koi lafz jis tarah yaad kiya ho oose sahi samjhta ho aur namaaz mein oosi tarah padhe aur ba'd mein ose pata chale k eke oosne ghalat padhe hai to ooske liye namaaz padhna zarurinahi.

989. Agar koi shakhs kisi lafz ke zabar aur zer se waaqif na ho yaa na jaanta ho ke woh lafz hamza se ada karna chahiye ya he se to zaruri hai ke kisi bhi tarah apni zimmedaari poori kar de massalan seekh le ya namaaz ko jama'at se padh le ya aise lafz ko do (ya do se zaayed) tariqo se ada kare takeh oose yaqeen ho jaaye ke oosne sahi tariqe se bhi padh liya hai. Albatta is tariqe mein ooski namaaz oosi suurat mein sahi ho sakti hai ke ghalat ada kiye jaane waale jumle ko qur'an ya zikr kaha jaaye.

990. 'Ulemaaye tajweed ka kehna hai ke agar kisi lafz mein waaw ho aur oos lafz se pehle waale harf par pesh ho aur oos lafz mein waaw ke ba'd waala harf hamza ho maslan "sooin" to padhne waale ko chahiye ke waaw ko madd ke saath kheech kar padhe.isi tarah agar kis lafz mein alif ho aur oos lafz mein alif se pehle waale harf par zabar ho aur oos lafz mein alif ke ba'd waale harf par hamza ho maslan "jaaaa'aaa" to zaruri hai ke oos lafz ke alif ko kheech kar padhe.agar kisi lafz mein (chhoti ye) ho aur oos lafz mein (chhoti ye) se pehle waale harf par zer ho aur oos ke ba'd waale harf hamza ho maslan jiiaaa to zaruri hai ke (chhoti ye) ko madd ke saath padhe aur agar oon huruf waaw,alif aur ye ke ba'd hamza ke ba'jaaye koi saakin harf ho ya'ni oos par zabar ya zer ya pesh (mein se koi harkat) na ho tab bhi teeno huroof ko madd ke saath padhna zaruri hai.laikin zaaheran aise maamle mein qiraat ka sahi hona madd par mouqoof

nahi.lehaaza jo tariqa batayaa gaya hai oos par amal na kare tab bhi ooski namaaz sahi hai.laikin wallazalleeen jaise lafaaz mein jahan tashdeed aur alif ka poore taur par ada hona muqtasar madd par mauqoof hai zaruri hai ke alif ko thoda sa kheeh kar padhe.

991. Ehteyaat-e-mustahab yeh hai ke insaan namaaz mein wakf ba harkat aur wasl ba sukoon kare aur wakf ba harkat ke ma'ni yeh hai ke kisi lafz ke aakhir mein zer,zabar aur pesh padhe aur oos lafz mein oos lafz ke ba'd oos lafz ke darmiyaan faasla de.maslan kahe-ar rehmaan ar raheem aur aur ar raheem ke meem ko zer de aur ooske ba'd qad rahe faasla de aur kahe maalike yaumiddeen aur wasl-e-massqoon ke ma;ni ye hai ke kisi lafz ki zer,aur zabar aur pesh na padhe aur oos lafz ko ba'd ke lafz se jod de. Maslan yeh kahe-ar rehmaan nir raheem aur raheem ke meem ko zer na de aur fauran malike yaumideen kahe.

992. Namaaz ki teesri aur chawthi rak'at mein faqat ek dafaa al-hamd ya ek dafaa tasbeehaat-e-ar'baa padi jaa sakti hai ya'ni namaaz padhne waala ek dafa kahe: Subhaan allah walhamdo lil lahe wala ilaaha il lalha ho wallaho akbar aur behtar ye hai ke teen dafa kahe.woh ek rak'at mein al-hamd aur dusri rak'at mein tasbihaat bhi padh sakta hai.behtar yeh dono rak'aton mein tasbeehaat padhe.

993. Agar vaqt tang ho to zaruri hai ke tasbihaat-e-ar'baa ek dafa padhe aur agar is qadr bhi vaqt na ho to ek dafa subhaanallah kehna kaafi hai.

994. Ehteyaat ki bina par mard aur aurat dono par waajib hai ke namaaz ki teesri aur chawthi rak'at mein al-hamd ya tasbeehaat aahista padhe.

995. Agar koi shakhs teesri aur chawthi rak'at mein al-hamd padhe to waajib nahi hai ke Bismillah bhi aahista padhe laikin miqtadari ke liye ehteyaat-e-waaajib hai ke Bismillah bhi aahista padhe.

996. Jo shakhs tasbeehaat yaad na kar sakta ho ta oonhein theekh theekh na padh sakta ho to zaruri hai ke woh teesri aur chawthi rak'at mein al-hamd padhe.

997. Agar koi shakhs namaaz ki pehli do rak'aton mein yeh khayaal karte hue ke yeh aakhri do rak'atein hain, tasbeehaat padh le laikin ruku' se pehle oose sahi soorat ka pata chal jaaye to zaruri hai ke al-hamd aur surah padhe aur agar oose ruku' ke dauraan ya ruku' ke ba'd pata chale to ooski namaaz sahi hai.

998. Agar koi shakhs namaaz ki aakhri do rak'aton mein yeh khayaal kare keh yeh pehli do rak'atein hain al-hamd padhe ya namaaz ki pehli do rak'aton mein yeh khayaal karte hue keh yeh aakhri do rak'atein hain al-hamd padhe to oose sahi soorat ka khwaha ruku' se pehle pata chale ya ba'd mein ooki namaaz sahi hai.

999. Agar koi shakhs teesri ya chawthi rak'at mein al-hamd padhna chata ho laikin tasbeehaat ooski zabaan par aa jaaye yaa tasbeehaat padhna chata ho laikin al-hamd ooski zabaan par aa jaaye to agar ooske padhne ka bilkul iraada na tha to zaruri hai keoose chod kar dobaara al-hamd ya tasbeehaat padhe laikin bataur kalibila iraada na ho jaise ooski a'dat wahi kuch padhne ki ho jo ooski zabaan par aaya hai to woh oosi ko tamaam kar sakta hai aur ooski namaaz sahi hai.

1000. Jis shakhs ki a'dat teesri aur chawthi rak'at mein tasbeehaat padhne ki hoagar woh apni a'dat se ghaflat barte aur apne wazife ki adaayegi ki niyyat se al-hamd padhne lage to wahi kaafi haiaur ooske liye al-hamd ya tasbeehaat dobaara padhna zaruri nahi hai.

1001. Teesri aur chawthi rak'at mein tasbeehaat ke ba'd astaghfaar karna mustahab hai maslan kahe "astaghfirullaha rabbi wa atubo ilaihe" ya kahe "allahummaghfirli"aur agar namaaz padhne waala astaghfaar padhne aur ruku' ke liye jhukne se pehle shak kare ke oosne al-hamd ya tasbeehaat ko padha hai ya nahi to zaruri hai ke al-hamd ya tasbeehaat padhe aur agar astaghfaar padh raha ho ya oose faarigh ho chuka ho aur oose shak ho jaaye ke oosne al-hamd ya tasbeehat padhi ya nahi to bhi ehteyaat-e-waajib ki bina par zaruri hai ke al-hamd ya tasbeehaat padhe.

1002. Agar teesri ya chawthi rak'at ke mein ya ruku' mein jaate hue shak kare ke oosne al-hamd ya tasbeehaat padhi hai ya nahi to apne shak ki parwah na kare.
1003. Agar namaaz padhne waala shak kare ke aaya oosne koi aayat ya lafz durust padha hai ya nahi maslan shak kare ke"qul ho wallaho ahad sahi padha hai ya nahi to woh apne shak ki parwah na kare laikin agar ehteyaatan wahi jumla ya aayat sahi tariqe se padhe to koi harj nahi hai aur agar kayi baar bhi shak kare to kayi baar bhi padh sakta hai.haan agar waswase ki hadd tak pohoonch jaaye to phir takraar na kare.
1004. Mustahab hai ke pehli rak'at mein al-hamd padhne se pehle "a'odhubillaahe minnash shaitaan nir rajeem" kahe aur zuhr aur asr ki pehli aur dusri rak'aton mein "Bismillah" buland awaaz se kahe aur al-hamd aur sureh ka har lafz wa'zeh taur par padhe aur har aayat ki aakhir par waqkhf kare ya'ni oose ba'd waali aayat ke saath na milaaye aur al-hamd aur surah padhte vaqt aayat ke ma'moon ki taraf tawajjeh rakhe.agar jamaaat se namaaz padh raha ho to imam-e-jama'at ke surah-e-hamd khatm karne ke ba'd aur agar furaadi namaaz padh raha ho to surah-e-hamd padhne ke ba'd kahe "al-hamdo lillahe rabbil a'lameen"aur surah-e-qul ho wallaho ahad padhne ke ba'd ek ya do ya teen dafa "kazaalek allaho rabbi" ya teen dafa kazaalek allaho rabbona kahe aur surah padhne ke ba'd thodi deir ruke aur ooske ba'd ruku' se pehle ki takbir kahe ya Qoonoot padhe.
1005. Mustahab yeh hai ki tamaam namaazon ki pehli rak'at mein surah-e-qadr padhe aur dusri rak'at mein surah-e-ikhlaas padhe.
1006. Panjgaana namaazon mein se kisi ek namaaz mein bhi insaan ka surah-e-ikhlaas na padhna makruh hai.
1007. Ek hi saans mein surah-e-ikhlaas padhna makruh hai.
1008. Jo surah insaan pehli rak'at mein padhe ooska dusri rak'at mein padhna makruh hai laikin agar sura-e-ikhlaas dono rak'aton mein padhe to makruh nahi hai.

Ruku'

1009. Zaruri hai ke har rak'at mein qir'aat ke ba'd is qadr jhuke ke apni tamaam oongaliyaa, man jumla anghuuthe ke sar hutne par rakh sake. Is amal ko ruku' kehte hain.
1010. Agar ruku' jitna jhuk jaaye laikin apni oongliyon ke sare ghutno par na rakhe to koi harj nahi hai.
1011. Agar koi shakhs ruku' aam tariqe se na ba'ja laaye maslan baaye ya daaaye jaanib jhuk jaaye ya ghutne aage ko badha le to khwha ooske haath ghutno tak pohoonch bhi jaaye ooska ruku' sahi nahi hai.
1012. Zaruri hai ke jhukna ruku' ki niyyat se ho. Lehaza agar kisi aur kaam ke liye maslan kisi jaanwar ko maarne ke liye jhuke to oose ruku' nahi samajh sakta balkehh zaruri hai ke khada ho aur phir dobaara ruku' ke liye jhuke aur oos amal ki wajah se rukn mein izaafa nahi hota aur namaaz baatil nahi hoti.
1013. Jis shakhs ke haath ya ghutne dusre logo ke haath aur ghutno se mukhtalif ho maslan ooske haath itne lambe ho ke agar m'amuli sa bhi jhuke to haath ghutno tak pohoonch jaaye yaa ooske ghutne dusre logo ke ghutne ke muqable mein neeche ho aur oose haath ghutno tak pohoonchaane ke liya bohut zyaada jhukna padta hoto zaruri hai ke ootna jhuke jitna amuman log jhukte hain.
1014. Jo shakhs baith kar ruku' kar raha ho oose is qadr jhukna zaruri hai ke oska chehra ooske ghutne se bil muqabil jaa pohoonche aur behtar hai ke itna jhuke ke ooska chehra sajde ki jagah ke bil muqabil pe jaa pohoonche.

1015. Behtar yeh hai ki ikhtiyaar ki haalat mein ruku’ mein teen dafa “subhaanallah ya ek dafa “subhaana rabbi azeeme wa be hamdehi” kahe agarche koi bhi zikr kaafi hai jo ehteyaat-e-waajib ki bina par zaruri hai ke itni hi miqdaar mein ho laikin vaqt ki tangi aur majboori ki haalat mein ek dafa subhaanallah kehna hi kaafi hai. Jo shakhs “subhaanallahe azeeme” ko achchhi tarah na padh sakta ho to koi aur zikr maslan teen baar subhaanallah kahe.
1016. Zikr-e-ruku’ musalsal aur sahi arbi mein padhna zaruri hai aur mustahab hai ke oose teen ya paanch ya saat dafa balkeh oose bhi zyaada padha jaaye.
1017. Ruku’ ki haalat mein zaruri hai ke namaaz padhne waale ka badan saakin ho.neiz zaruri hai ke woh apne ikhteyaar se badan ko harkat na de ke oospar saakin hona saadiq na aaye hatta ke ehteyaat ki bina par agar woh waajib zikr mein masshghul na ho tab bhi yahi hukm hai aur agar jaan bhoojh ke theraav ka khayaal na rakhe to chaahe sukoon ki haalat mein zikr ada kar le ooski namaaz baatil hai.
1018. Agar namaaz padhne waala oos vaqt jabke ruku’ ka waajib zikr ada kar raha ho bhoole se beikhtiyaar itni harkat kare ke badan ke sukoon ke haalat se khaarij ho jaaye to behtar yeh hai ke badan ke sukoon haasil karne ke ba’d dobaraa zikr ko ba’ja laaye laikin agar itni kam harkat kare ke badan ke sukoon mein hone ki haalat se khaarij na ho ya oongliyon ko harkat de to koi harj nahi hai.
1019. Agar namaaz padhne waala oose peshtar ke ruku’ jitna jhuke ooska badan sukoon haasil kare jaan bhoojh ke zikr-e-ruku’ karna shuru kar de to ooski namaaz baatil hai. Siwaaye is ke keh sukoon ki haalat mein dobaara zikr ada kare. Albatta agar bhoole se ho to zikr ko dobaara ada karna zaruri nahi hai.
1020. Agar ek shakhs wajib zikr ke khatm hone se pehle jaan bhoojh ke sar ruku’ se uutha le to ooski namaaz baatil hai. Aur sehwan sar uutha liya to zikr dohraana zaruri nahi hai.
1021. Agar ek shakhs zikr ki miqdar ke mutabiq hatta ek “subhaanallah” kehne ki had tak hi ruku’ ki haalat mein chaahe sukoon ke baghair hi sahi na reh sakta ho to zikr kehna zaruri nahi. Albatta ehteyaat-e-mustahab yeh hai ke zikr kahe chaahe ooska baaqi maanda hissa ruku’se uuthe hue qurbat-e-mutaleqa ki niyaat se kahe ya oose pehle hi zikr kehne shuru karde.
1022. Agar koi shakhs marz waghairah ki wajah se ruku’ mein apna badan saakin na rakh sake to ooski namaaz sahi hai. Laikin zaruri hai ke ruku’ ki haalat mein khaarij hone se pehle waajib zikr is tariqe se ada kare jaise uupar bayaan kiya gaya hai.
1023. Jab koi shakhs ruku’ ke liye na jhuk sakta ho to zaruri hai ke kisi cheez ka sahara le kar ruku’ ba’ja laaye aur agar sahara ke zariye bhi m’amool ke mutabiq ruku’ na kar sake to zaruri hai ke is qadr jhuke keaarefan oosko ruku’ kaha jaa sakeaur agar is qadr na jhuk sake to zaruri hai ke ruku’ ke liye sar se ishaara kare.
1024. Jis shakhs ko ruku’ ke liye sar se ishaara karna zaruri ho agar woh ishaara karne par qaadir na ho to to zaruri hai ke ruku’ ki niyyat ke saath aankho ko band kare aur zikr-e-ruku’ padhe aur ruku’ ke uuthne k niyyat se aankho ko khol de aur agar is qaabil bhi na ho to ehteyaat ki bina par dil mein ruku’ ki niyyat kar le aur apne haath se ruku’ ke liye ishaara kare aur zikr-e-ruku’ padhe aur agar is soorat mein agar mumkin ho to ehteyaat-e-waajib ki bina par is kifaayat ke saath saath baith kar ruku’ ke liye ishaara bhi kare.
1025. Jo shakhs ruku’ na kar sake laikin jab baitha ho to ruku’ keliya jhuk sakta ho to zaruri hai ke khade ho kar namaaz padhe aur ruku’ ke liye sar ka ishaara kare. Ehteyaat-e-mustahab yeh hai ke ek dafa phir se namaaz padhe aur ooske ruku’ ke vaqt baith jaaye aur ruku’ ke liye jhuk jaaye.
1026. Agar koi shakhs ruku’ ki had tak pohoonch ke ba’d jaan bhoojh ke sar uutha le aur phir dobaara ruku’ karne ki had tak jhuke to ooski namaaz baatil hai.

1027. Zaruri hai ke zikr-e-ruku' khatm hone ke ba'd seedha khada ho jaaye aur ehteyaat-e-waajib ki bina par jab ooska badan sukoon haasil kar le to ooske ba'd sajde mein jaaye aur agar jaan bhoojh kar khada hone se pehle sajde mein chala jaaye to ooski namaaz baatil hai. Isi tarah agar badan ke sukoon haasil karne se pehle sajde mein chala jaaye to bhi ehteyaat ki bina par yahi hukm hai.

1028. Agar koi shakhs ruku' karna bhool jaaye aur oosse peshtar sajde ki haalat mein pohoonche oose yaad aa jaaye to zaruri hai ke khada ho jaaye aur phir ruku' mein chala jaaye. Jhuke hue hone ki haalat mein agar ruku' ki jaanib laut jaaye to kaafi nahi hai.

1029. Agar kis shakhs ko pehaani zameen par rakhne ke ba'd yaad aaye ke oosne ruku' nahi kiya hai to zaruri hai ke laut jaaye aur kahda hone ke ba'd ruku' As-salaamo laaye. Agar oose dusre sajde mein yaad aaye to ehteyaat-e-laazim ki bina par ooski namaz baatil hai.

1030. Mustahab hai ke insaan ruku' mein jaane se pehle jab seedha khada ho to takbeer kahe, ruku'mein ghutno ko peeche ki taraf dhakele, peeth ko hamwaar rakhe, gurdan ko kheech kar peeth ke barabar rakhe, dono pa'on ke darmiyaan dekhe, zikr se pehle ya ba'd mein durood padhe aur jab ruku' ke ba'd uuthe to seedha khada ho to badan ko sukoon ki haalat mein hote hue "same'allaho'le man hameda" kahe.

1031. Aurton ke liye mustahab hai ke ruku' mein haathon ko ghutno se uupar rakhe aur ghutno ko peeche ki taraf dhakele.

Sujood

1032. Namaaz padhne waale ke liye zaruri hai kewaajib aur mustahab ki har rak'ato mein ruku' ke ba'd do sajde kare. Sajda yeh hai ke khaas shakl mein peshaani ko khuzu ki niyyat se zameen par rakhe aur namaaz ki sajde ki haalat mein waajib hai ke dono hatheliyon, dono ghutne aur dono pa'on ke anghuuthe zameen par rakhe jaaye. Ehteyaat-e-waajib ki bina par peshaani se muraad peshaani ka darmiyani hissa hai.Yeh woh mustateel hai jo peshaani ke darmiyaani hisse mein do baraao se le kar sar ke baal uugne ke maqam tak, do farzi khat kheechne par banega.

1033. Do sajde milkar rukn hai aur agar koi shakhs bhoole se ya massle ki la 'ilmi ki bina par ek rak'at mein dono sajde tark kar de to ooski namaaz baatil hai. Isii tarah agar bhool kar yaa jehel kasuri ki wajah seek rak'at mein do sajdo ka izaafa kare to ehteyaat-e-laazim ki bina par yahi hukm hai (jehel kasuri yeh hota hai ke insaan ke paas apni la ilmi ka ma'qool uzr mau'jood ho).

1034. Agar koi shakhs jaan bhoojh ke ek sajda kam ya zyaada kar de to ooski namaaz baatil hai.aur agar sehwan ek sajda kam ya zyaada kare to baatil nahi hogi. Haan kam hone ka soorat ka hukm, sajda-e-sahu ke ehkaam mein bayaan kiya jaayega.

1035. Jo shakhs peshaani zameen par rakh sakta ho agar woh jaan bhoojh kar ya sehwan peshaani zameen par na rakhe to khawah ke dusre hisse zameen par lag bhi gaye hon to oosne sajda nahi kiya laikin agar woh peshaani zameen par rakh de aur sehwan badan ke dusre hisse zameen par na rakhe ya sehwan zikr na padhe to ooska sajda sahi hai.

1036. Behtar yeh hai ki ikhtiyaar ki haalat mein sajde mein teen dafa "subhaanallahe rabbil aala wa be hamdehi' padhe aur zaruri hai ke jumle musalsal aur sahi arbi mein kahe jaaye aur zaahir yeh hai ke kisi bhi zikr ka padhna kaafi hai laikin ehteyaat-e-laazim ki bina par zaruri hai ke itni hi miqdar mein ho aur mustahab hai ke "subhaana rabbil aala wa be hamdehi" teen ya paanch ya saat dafa ya oos se bhi zyaada martaba padhe.

1037. Sajde ki haalat mein zaruri hai ke namaazi ka badan saakin ho haalat-e-ikhteyaar mein oose apne badan ko is tarh harkat nahi dena chahiye ke sukoon ki haalat se nikal jaaye aur jab waajib zikr mein massghool na ho to ehteyaat ki bina par yahi hukm hai.

1038. Agar oos se peshtar ki peshaani zameen par lage aur badan sukoon haasil karle koi shakhs jaan bhoojh kar zikr-e-sajda padhe to ooski namaaz baatil hai,siwaaye ooske ke sukoon mein aane ke ba'd dobaara zikr padh le aur agar zikr khatm hone se pehle jaan bhoojh kar sar sijde se uutha le to ooski namaz baatil hai.
1039. Agar oose peshtar ki peshaani zameen par lage koi shakhs sehwan zikr-e-sajda padhe aur oose peshtar ke sar sajde se uuthaye oose pata chal jaaye ke oosne ghalti ki hai to zaruri heke saakin ho jaaye aur dobara zikr padhe.Haan agar peshaani zameen par lag chuki ho aur badan saakin hone se pehle bhoole se zikr padha ho to dohraana zaruri nahi.
1040. Agar kisi shakhs ko sar sajde se uutha lene ke ba'd pata chale ke oosne zikr-e-sajda khatm hone se pehle sar uutha liya hai to ooski namaaz sahi hai
1041. Jis vaqt agar koi shakhs zikr-e-sajda padh raha ho agar woh jaan bhoojh kar agar woh saat aa'zaaye sajda mein se kisi ek a'zaa ko zameen par se uuthaye aur ooska yeh amal oos aaraam –o-sukoon ke khilaaf ho jiska sajde meinhona zaruri hai to ooski namaaz baatil ho jaayegi yahi hukm ehteyaat-e-waajib ki bina par oos vaqt hai jab zikr padhne mein masshghul na ho.
1042. Agar zikr-e-sajda khatm hone se pehle koi sehwan peshaani zameen par se uutha le to oose dobara zameen par nahi rakh sakta aur zaruri hai ke ooose ek sajda shumaar kare laikin agar dusre a'zaa sehwan zameen par se uutha le to zaruri hai ke oonhein dobaara zameen par rakhe aur zikr padhe.
1043. Pehle sajde ka zikr khatm hone ke ba'd zaruri hai ke baith jaaye hatta ke ooska badan sukoon haasil karle aur phir dobaara sajde mein jaaye.
1044. Namaaz padhne waale ki peshaani rakhne ki jagah ghuton aur pa'on ki uoongliyon ke saro se chaar mili huii uoongliyon se zyaada buland ya pusht nahi honi chahiye balke ehteyaat-e-waajib yeh hai ke ooski peshaani ki jagah ooske khade hone ki jagah se chaar mili huii uoongliyon se zyaada neechi ya oonchi na ho.
1045. Agar kisi aisi dhalaan jagah mein agarche ooska jhukaav sahi tarah se maaloom na ho namaaz padhne waale ki peshaani ki jagah ooske ghutno aur pa'on ki uoongliyon ke saro ki jagah se chaar mil huii uoongliyon se zyaada buland ya past ho to ooski namaaz mehle ishkaaal hai.
1046. Agar namaz padhne wala apni peshaani ko koi aisi cheez par rakh de jo ghutno aur ooske pa'on ke uoongliyon ki saro ki jagah se chaar mili huii uoongliyon se zyaada buland ho aur oon ki bulandi is qadr ho keh yeh na keh sake ke sajde ki haalat mein hai to zaruri hai ke sar ko uuthye aur aisi cheez par jis cheez ki bulandi chaar mili huii uoongliyon se zyaada na ho rakhe aur agar ooski bulandi is qadr ho ke keh sake ke sajde ki haalat mein hai aur waajib zikr padhne ke ba'd muttawajjeh ho to sar sajde se uutha kar namaaz ko tamaam kar sakta hai .Agar waajib zikr padhne se pehle muttawajjeh ho to zaruri hai ke peshaani ko oos cheez se kheench kar oos cheez par rakhe ke jiski bulandi chaar mili huii bulandi ke barabar ya oosse kam ho aur waajib zikr padhe aur agar peshaani ko kheechne mumkin na ho to waajib zikr ko isi tarah padhe aur namaaz ko tamaam kare aur zaruri nahi hai ke namaaz ko dobaara padhe.
1047. Zaruri hai ke namaaz padhen waale ki peshaani aur oos cheez par jis cheez par sajda karna sahi hai koi dusri cheez na ho. Pas agar sajdehgaah itni maili ho ke peshaani sajdahgaah ko na choohe to ooska sajda baatil hai.Laikin agar sajdahgaah ka rang tabdeel ho gaya ho to koi harj nahi hai.
1048. Zaruri hai ke sajde mein dono hatheliyaan zameen par rakhe aur ehteyaat-e-waajib bina par zaruri hai ke mumkina soorat mein poori hatheliyon ko zameen par rakhe laikin majboori ki haalat mein agar haathon ki pusht bhi zameen par rakhe to koi harj nahi hai aur agar haathon ki

pusht bhi zameen par rakhna mumkin nahi ho to ehteyaat ki bina par zaruri hai ki haathon ki kalaaiyaan zameen par rakhe aur agar oonhein bhi na rakh sake to phir kohni tak jo hissa bhi mumkin ho zameen par rakhe aur agar yeh bhi mumkin na ho to phir baazo'on ka rakhna kaafi hai.

1049. Sajde mein zaruri hai ke pa'on ke dono anghuuthe zameen par rakhe laikin zaruri nahi ke dono anghuuthe ke sare zamen par rakhe balki oonka zaahiri yaa batini hissa bhi rakhe to kaafi hai.Agar pa'on ki dusri uoongliyaan ya pa'on ka uupar wala hissa zameen par rakhe ya nakhoon lambe hone ke bina par zameen pe na lage to namaaz baatil hai aur jis shakhs ne kotaahi aur massla na jaanne ki wajah se apni namaazein is tarah padhi hon zaruri hai ke oonhein dobaara padhe.

1050. Jis shakhs ke pa'on ke anghuutho ke saro se kuch hissa kata hua ho to zaruri hai ke jitna baaqi ho woh zameen par rakhe aur agar anghuuthon ka kuch hissa bhi ba bacha ho ya itna kam bacha ho ke oose kisi bhi tarah zameen par ya kisi aur cheez par rakhna mumkin nahi ho to ehteyaat ki bina par zaruri hai ke baaqi uoongliyon ko zameen par rakheaur agar ooski koi bhi uoongli na ho to pa'on ka jitna hissa bhi baaqi bacha ho oose zameen par rakhe.

1051. Agar koi shakhs ma'mool ke khilaaf sajda kare maslan seene aur pet ko zameen par tikaaye ya pa'on ko kuch lamba karde choonnanche agar kaha jaaye ke oosne sajda kiya hai to ooski namaaz sahi hai. Laikin agar kaha jaaye ke leit gaya hai aur oospar sajda karna sadiq na aata ho to ooski namaaz baatil hai.

1052. Sajdahgaah ya dusri koi cheez jispar namaaz padhne waala sajda kare zaruri hai ke jitni miqdar mein sajda sahi hai ootni miqdaar paak ho laikin agar misaal ke taur par sajdaahgaah ko najis farsh par rakh de ya sajdahgaah ki ek tarf najis ho aur woh peshaani paak tarf rakhe ya sajdegaah ke uupar kuch hissa paak aur kuch hissa najis ho laikin peshaani ko najis na kare to koi harj nahi hai.

1053. Agar namaaz padhne waale ki peshaani par phoda ya zakhm ya isi tarah ki koi cheez ho jiski bina par woh peshani zameen par baghair zor lagaaye bhi na rakh sakta ho maslan gar woh phoda poori peshaani ko na ghere hue ho to zaruri hai ke peshaani ke sehatmand hisse se sajda kare aur agar peshaani ki sehatmand jagah par sajda karna is baat par mauqoof ho ke zameen ko khode aur phode ko ghade mein aur sehatmand jagah ki itni miqdar zameen par rakhe ke sajde ke liye kaafi ho to zaruri hai oosko anjaam de (peshaani ke ma'ene sujood ke maqaam ke ma'sael ki ibteda mein bayaan kiye jaa chuke hain).

1054. Agar phoda ya zakhm tamaam pesaani par (jiski ma'ene bayaan kiye jaa chuke hain) phaila hua ho to ehteyaat-e-waajib ki bina par zaruri hai ke peshaani ki dono a'itraaf ko, jo peshaani ki baaqi maaninda hisse, ya kisi ek jaanib jis tarah bhi mumkin ho zameen par rakhe aur agar yeh na mumkin ho to apne chehre ke kuch hisse se sajda kare aur ehteyaat-e-laazim yeh hai ki agar thudhi se sajda kar sakta ho to thudhi se sajda kare aur agar yeh na kar sakta ho to peshaani ki dono atraaf mein se ek taraf se sajda kare aur agar chehre se sajda karna kisi tarah bhi mumkin na ho to zaruri hai ke sajde ke liye ishaara kare.

1055. Jo shakhs baith sakta ho laikin peshaani zameen par na rakh sakta ho, agar jhuk sakta ho jise aarefan sajda kaha jaa sake to zaruri hai ke ootna jhuke aur sajdahgaah ya kisi dusri cheez ko jis cheez par sajda karna sahi ho kisi buland cheez par rakhe aur apni peshaani oospar rakhe laikin zaruri hai agar mumkin ho to hatheliyon aur ghutno aur pa'on ke anghuutho ko ma'mool ke mutabiq zameen par rakhe.

1056. Mazkuraah farz mein agar koi aisi buland cheez na ho jis par namaaz padhne waala sajdahgaah ya phir dusri koi cheez jis par sajda karna sahi horakh sake aur koi dasra shakhs bhi

na ho maslan sajdahgaah ko uuthaaye aur pakde take woh shakhs sajda kare to zaruri hai ke sajdahgaah ya dusri cheez jis par sajda kar raha ho haath se uuthaaye aur phir sajda kare.
1057. Agar koi shakhs bilkul bhi sajda na kar sakta ho aur jitna jhuk sakta ho oose sajda na kaha jaa sake toto zaruri hai ke aakhon se ishaara kare aur agar aakhon se bhi ishaara na kar sakta ho to zaruri hai kee dil mein sajde ki niyyat kare aur ehteyaat-e-laazim ki bina par zaruri hai ke haath waghairah se bhi sajde ke liye ishaara bhi kare aur wajib zikr ada kare.
1058. Agar kisi shakhs ki peshaani beikhteyaar sajde ki jagah se uuth jaaye to zaruri hai ki hattal imkaan oose dobaara sjade ki jagah par na jaane de qata-e-nazar ooske ke oosne sajda-e-zikr padha ho ya na padha ho to yeh ek sajda shumaar hoga. Laikin agar waajib zikr na ada kiya ho to ehteyaat-e-muatahab yah hai ki zikr ada kare zaruri hai ke oose qurbat-e-mutaleqa ki niyyat se kahe aur ooske juz-e-namaaz hone ka qasd na kare.
1059. Jahan insaan ke liye taqqaiyya karna zaruri hai, wahan woh qaleen ya oos tarah ki cheez par sajda kar sakta hai aur yeh zaruri nahi ke namaaz ke liye kisi dusri jagah par jaaye ya namaaz ko is liye mo'akkhir kare ke isi jagah par taqqaiyye ke sabab khatm hone ke ba'd namaaaz ada kare. Laikin agar isi maqam par chataayi ya kisi dusri cheez par sajda karna sahi ho agar woh is tarah sajda kare ke taqqiyye ki mukhalefat na hoti ho to zaruri hai ke phir woh qaleen ya oosse milti julti cheez par sajda na kare.
1060. Agar koi shakhs (parindo ke) paro se bhare gadde ya isi kism ki kisi dusri cheez par sajda kare jispar jism sukoon ki haalat mein na rehta ho to ooski namaaz baatil hai.
1061. Agar insaan kichad waali zameen par namaaz padhne par majboor ho aur badan aur libaas ka aalooda ho jaana ooske liye masshhqat ka mo'jab na ho to zaruri hai ke sajda aur tashhahud ma'mool ke mutabiq ba'ja laye. Agar aisa karna masshhaqat ka mo'jab ho to qayaam ki haalat meina sajde ke liye sar se ishaara kare aur tashaahud khade hokar phade to ooski namaaz sahi hogi.
1062. Pehli rak'at mein maslan namaaz-e-zuhur, namaaz-e-asr aur namaaz-e-isha ki teesri rak'at mein jis mein tashhahud nahi hai ehteyaat-e-waajib yeh hai ke insaan dusre sajde ke ba'd thodi eir ke liye sukoon se baithe aur phir khada ho.

Woh cheezein jin par sajda karna sahi hain

1063. Sajda zameen par aur oon cheezon par karna zaruri hai jo khaayi aur pee nahi jaati ho aur zameen se oogi ho.Maslan lakdi aur zameen ke patton par sjjda kare, Khaane aur pehhene ki cheezon maslan gandu,jow,kapaas par aur oon cheezon par jo zameen ki ajzaa shumaar nahi hoti maslan suoone,chaandi ya isi tarah ki dusri cheezon par sajda karna sahi nahi hai laikin taar kol aur zaft (jo ke ghatiya kism ka ek taarkl hai) ko majboori ki haalat men dusri cheezon ke muqaable mein jinpar sajda karna sahi nahi hai sajde ke liye aoliyat de.
1064. Angoor ke patto par sajda karne jabke woh kacche ho aur oonhein ma'moolan khaaya jaata ho jayez nahi hai. Is soorat ke al'awaa woh oonpar sajda karne mein koi harj nahi hai.
1065. Jo cheezein zameen se oogti hai aur haiwaanaat ki khuraaq hain, maslan ghaas aur bhoosa on par sajda karna sahi hai.
1066. Jo phalon ko khaaya nahi jaa sakta hai oon par sajda sahi hai balke oon khaane ki dawaa'on par bhi karna sahi hai jo zameen se uugti hain oonhein koot kar ya uubaal kar oon ka paani peete hain, gul-e-banafsha aur gul-e-gaao zabaan, par bhi sajda sahi hai.
1067. Aisi ghaas jo b'az shehron mein khaayi jaati ho ar baaz shehron mein khaayi na jati ho laikin wahan oose ashiyaaye khurdani mein shumaar kiya jaata ho to oospar sajda karna sahi nahi hai aur ehteyaat ki bina par kacche phalon par bhi sajda karna sahi nahi hai.

1068. Choone ke patthar aur jypsum ke patthar par sajda karna sahi hai balki phukhta jypsum aur choone aur isi tarah eent aur mitti ke pake hue bartano par sajda karne mein koi harj nahi hai.
1069. Agar likhne ke kaagaz ko aisi cheez se banaya jaaye jispar sajda karna sahi hai maslan lakdi aur bhoose se to oospar sajda kiya jaa sakta hai aur agar isi tarah ruii ya kitaan se banaya gaya ho to bhi oospar sajda karna sahi hailaikin agar resham ya abr-e-resham ya isi tarah ki kisi cheez se banaya gaya ho to oospar sajda sahi nahi hai.Tissue paper par sajda sirf usi soorat mein sahi hai jab ke insaan ko m'aloom ho ke oose aisi chez se banaya gaya hai jis cheez par sajda karna sahi hai.
1070. Sajde ke liye khaakh-e -shifa sab cheezon se behtar hai aur ooske ba'd mitti, mitti ke ba'd patthar, patthar ke ba'd ghaas.
1071. Agar kisi ke paas aisi cheez na ho jispar sajda karna sahi hai ya agar ho laikin shadeed sardi ya garmi waghairah ki wajah se oospar sajda na kar sakta ho to aisi soorat mein taarkol aur zaft ko sajde ke liye dusri cheezon par aoliyat haasil hai laikin agar oon par sajda karna mumkin na ho to zaruri hai ke apne libaas ya kisi dusri cheez par ke haalat-e-ikhteyaar mein jis par sajda jayez nahi sajda kare.Laikin ehteyaat-e-mustahab yeh hai ke jab tak apne kapde par sajda mumkin ho kisi dusri cheez par sajda na kare .
1072. Khichad par aur kisi aisi jagah par jis par peshaani sukoon se na tik sake sajda karna baaatil hai.
1073. Agar pehle sajde mein sajdahgaah peshaani se chipak jaaye to zaruri hai hai ke dusre sajde ke liye oose choda le.
1074. Jis cheez par sajda karna ho agar namaaz padhne ke dauraan ghum ho jaaye aur namaaz padhne waale ke paas koi aisi cheez na ho jispar sajda karna sahi ho to jo tarteeb massla no.1071 mein bataayi gayi hai oospar amal kare khawah vaqt tang ho ya bahi itna vaqt ho ke namaaz tod kar dobaara namaaz padhi jaa sake.
1075. Jab kisi shakhs ko sajde ki haalat mein pata chale ke oosne apni peshaani kisi aisi cheez rak hai jis cheez par sajda karna baatil hai choonnanche waajib zikr ada karne ke ba'd muttawajjeh ho to sar sajde se uuthaaye aur apni namaaz jaari rakhe aur agar waajib zkr ada karne se pehle muttawajjeh ho to zaruri hai ke apno peshaani ko kheech kar jis cheez pa sajda arna shai hai laaye aur waajib zikr ada kare. Laikin agar peshaani laana mumkin na ho to iisi haal mein waajib zikr ad kare sakta hai aur ooski namaaz dono soorton mein sahi hai.
1076. Agar kisi shakhs ko sajde ke ba'd pata chale le oosne apni peshaani kisi aisi cheez par rakhi hai jis cheez par sajda karna baatil hai to koi harj nahi hai.
1077. Allah t'ala ke al'awa kisi dusre ko sajda karna haraam hai. Awaam mein se baaz se log jo a'immah(a.s) ke mazaaraat-e-muqqadesa ke saamne peshaani zameen par rakhte hain agar woh Allah ka shukr ada karne ki niyyat se aisa karein to koi harj nahi hai warna mehl-e-ishkaal hai.

Sajdeh ke mustahab aur makruhaat.

1078. Chand cheezein sajde mein mustahab hain

(1) Jo shakhs kahd ho kar namaaz padh raha ho woh ruku' se sar uuthane ke ba'd muqammal taur par khade ho kar aur abith kat namaz padhne waala ruku' ke ba'd poori tarah baith kar sajde mein jaane ke liye takbeer kahe.

(2) Sajde mein jaate vaqt mard pehle apni hatheliyon aut aurat apne ghutno ko rakhe.

(3) Namaazi naak ko sajdahgaah ya kisi aisi cheez par rakhe jis cheez par sajdah karna durust ho.

(4) Namaazi sajde ki haalat mein haath ki uoongliyon ko kaano ke paas is tarah

rakhe ke oon ke sare rob a qibla ho.
(5) Sajde mein dua kare, sajde mein dua kare, Allah taa'la se haajat talab kare aur yeh dua padhe "Ya khairal massuleena Ya khairal mu'teena warzukni warzuk a'yaali min fazleka fa innaka dhul fadhlil azeem".
Ya'ni Aye sab mein se behtar jin se maanga jaata haiaur Ae oon sab se baratr jo ata karta hai .Mujhe aur mere ahl-o-ayaal ko apne fazl-o-karam se rizq ata farma kyoonki tu hi fazl-e-azeem ka maalik hai.
(6) Sajde ke ba'd baaye raan par baith jaaye aur daaye pa'on ka uupar wala hissa (y'ani pusht) baaye pa'on ke talve pe rakhe.
(7) Har sajde ke ba'd jab baith jaaye to badan ko sukoon haasil ho jaaye to takbeer kahe.
(8) Pehle sajde ke ba'd jab badan ko sukoon haasil ho jaaye to "asthaghfirullahe wa atubo ilaihe" kahe.
(9) Sajda zyaada deir tak anjaam de aur baithne ke vaqt haathon ko raano par rakhe.
(10) Dusre sajde mein jaane ke liye badan ko sukoon ki haalat mein "Allaho Akbar kahe.
(11) Sajdo mein durood padhe.
(12) Sajde se qayaam ke liye uuthte vaqt pehle ghutno ko aur oon ke ba'd haathon ko zameen se uuthaaye.
(13) Mard kohniyon ko aur paet ko zameen se na laagaaye nez baazu ko pehlu se juda rakhe. Auratein kuhniyaa aur paet zameen par rakhe aur badan ke a'zaa ko ek dusre se na milaaye. In ke al'awa dusre mustahabaat bhi hain jin ka zikr mufassil kitaabo mein moujood hai.

1079. Sajde mein quran-e-majeed padhna makruh hai aur sajde ki jagah ko gard-o-gubaar jhaadne ke liye phook maarna bhi makruh hai maslan agar phook maarne ki wajah se do harf bhi amdan nikal jaaye to ehteyaat ki bina par namaz baatil hai aur in ke al'awa aur makruhaat ka zikr bhi mufassal kitaabo mein aaya hai.

Qur'an –e-majeed ke waajib sajde.

1080. Qur'an-e-majeed ki chaar surton ya'ni sura-e-sajda ayaat no.15, surah-e-fusselat aayat no.37, surah-e-najm aayat no.62 aur surah-e-alaq aayat no.19 mein sajde hain jise agar insaan padhe ya suoone to aayat khatm hone ke ba'd fauran sajda karna zaruri hai aur agar sajda karna bhool jaaye to jab bhi yaad aaye sajda kare.Haan agar aayat-e-sajda ghair ikhteyaari haalat mein suoone to sajda waajib nahi hai agarche behtar hai ke sajda kiya jaaye.

1081. Agar insaan sajde ki aayat suoonne ke vaqt khud bhi 'ayat padhe to zaruri hai ke do sajde kare.

1082. Agar namaaz ke a'lawa koi shakhs aayat-e-sajda padhe ya suoone to zaruri hai ke sajde se sar uuthhaye aur dobaara sajda kare.

1083. Agar insaan soye hue shakhs, ya deewaane ya aise bacche se jo Qur'an ki pehchaan nahi rakhta, sajde ki aayat suoonne ya oos par kaan dohraaye to sajda waajib hai. Laikin agar gramaphone ya tape recorder se suoone to sajda waajib nahi aur sajde ki aayat radio ke zariye tape recorder par nashr ki jaaye tab bhi yahi hukm hai.Laikin agar koi shakhs radio station se baraahe raast nasahriyaat mein sajde ki aaayat padhe aur insaan oose radio par suoone to sajda waajib hai.

1084. Qur'an ka waajib sajda karne ke liye ehteyaat ki bina par zaruri hai ke insaan ki jagah ghasbi na ho aur ehteyaat-e-mustahab ki bina par ooski peshaani rakhne ki jagah ooske ghutno aur pa'on ki uoongliyon ke saro ki jagah e chaar mili huii huii uoongliyon se zyaada oonchi ya neechi na ho laikin yeh zaruri nahi hai ki oosne wuzu ya ghusl kiya ho ya qibla rukh ho ya apni

sharmgaah ko chupaaye ya ooska badan aur peshaani rakhne ki jagah paak ho.Iske al'awa woh jo shar'et namaaz padhne waale ke libaas ke liye zaruri hai woh shara'et Qur'a-e-Majeed ka waajib sajda ada karne waale ke libaas mein shart nahi hai.

1085. Ehteyaat-e-waajib hai ke Qur'an-e-Majeed ke waajib sajde mein insaan apni peshaani sajdahgaah ya kisi aisi cheez par rakhe jis par sajda karna sahi ho aur ehteyaat-e-mustahab ki bina par badan aur dusre a'za is tarah zameen par rakhe jis tarah namaaz ke silsile mein bataya gaya hai.

1086. Jab insaan Qur'an-e-Majeed ka waajib sajda karne ke iraade se peshaani zameen par rakh deto khwha woh koi zikr na bhi padhe tab bhi kaafi hai aur zikr ka padhna mustahab hai aur behatar hai ke yeh padhe: "La illaha illala ho haqqan haqqa, la ilaha illal laho imaanaw wa tasdeeqan, la ilahaa illal laho 'oobudiyataw wa riqqan, sajatto laka ya rabbe t'abbudan wa riqqa, mustanfeqan, walamustakberan, bal ana 'abdoon dhaleeloon z'aeefoon khaa'efum mustajeeroon".

Tashahhud

1087. Sab waajib aur mustahab namaazon ki dusri rak'at mein. Maghrib ki namaaz mein teesri rak'at mein, zuhurasr aur isha ki chawthi rak'at meininsaan ke liye zaruri hai ke dusre sajde ke ba'd aur badan ke sukoon ki haalat mein tashahhud padhe ya'ni kahe: "Ash hado an la ilaaha illallaho wahdahu la shareeeka lahu, wa ash hado anna Muhammedan abdahu wa rasoolahu Allahumma salle ala muhammadin wa a'le muhammed" aur agar kahe: "Ashhado an la ilaaha illallaho wa asshahdo anna Muhammed sallallaho wa a'lehi abdahu wa rasulo" to bhi kaafi hai .Namaaz-e-witr mein bhi tashahhud padhna zaruri hai.

1088. Zaruri hai ke tashahhud ke jumle sahi arbi mein aur ma'mool ke mutabiq musalsal kahe jaaye.

1089. Agar koi shakhs tashahhud padhna bhool jaaye aur khada ho jaaye ruku' se pehle oose yaad aaaye ke oosen tashahhud nahi padha hai to zaruri hai ke baith jaaye aur tashhahud padhe aur phir dobaara khade hoye aur oos rak'at mein jo kuch bhi padhna zaruri hai padhe aur namaaz khatm kare.Ehteyaat-e-mustahab ki bina par namaaz ke ba'd beja qayaam ke liye do sajda-e-sahw baja laaye aur agar oose ruku' mein ya ooske ba'd yaad aaye to zaruri hai ke namaaz tamaam kare aur namaaz ke ba'd ehteyaat-e-mustahab ki bina par tashahhud ki qaza kare. Zaruri hai ke bhoole hue tashahhud ke liye do sajda-e-sahw baja laaye.

1090. Mustahab hai ke insaan tashahhud ki haalat mein baaye raan par baithe aur daaye pa'on ki pusht ko baaye pa'on ke talwe par rakhe aur tashahhud se pehle kahe "Al-hamdolillah"aur yeh bhi mustahab hai ke haath raano par rakhe aur uoongliyaan ek dusre ke saath milaaye aur apne daaman par nigaah daale aur tashahhud mein salwaat ke ba'd kahe "Wa taqqabal shafa'atohu warfa'aa darjatahu"

1091. Mustahab hai ke aurtein tashahhud padhte vaqt raane mila kar rakhe.

Namaaz ka salaam

1092. Namaaz ki aakhri rak'at ke tashahhud ke ba'd jab namaazi baitha hua ho aur ooska badan sukoon ki haalat mein ho to mustahab hai ke woh yeh kahe: "As-salaamo aleka ayyohan nabiyo wa rehmatullahe wa barak'atu" aur ooske ba'd zaruri hai ke kahe "As-salaamo alaikum aur ehteyaat-e-mustahab yeh hai ke "As-salaamo alaikum ke jumle ke saath "Wa rehmatullahe wa barak'atohu" ke jumle ka izaafa kare aur yeh kahe "As-salaamo alaina wa al ebaadilaahis saaleheen" laikin agar is salaam ko padhe to ehteyaat-e-waajib yeh hai ki ooske ba'd "As-salaamo alaikum bhi kahe.

1093. Agar koi shakhs namaaz ka salaam kehna bhool jaaye aur oose aise vaqt yaad aaye jab abhi namaaz ki shakl khatm nahi huii ho aur oosne koi aisa kaam bhi na kiya ho jisse amdan ya sehwan karne se baatil hoti ho maslan qible ki taraf peet karna to zaruri hai ke salaam kahe aur ooski namaaz sahi hai.
1094. Agar koi shakhs namaaz ka salaam kehna bhool jaaye aur oose aise vaqt yaad aaye jab namaaz ki shakl khatm ho gayi ho ya oosne koi aisa kaam kar liya ho jisse amdan a sehwan karne se namaaz batil ho jaati hai maslan qible ki taraf peeth karna, to ooski namaz sahi hai

Tarteeb
1095. Agar koi shakhs jaan bhoojh kar namaaz ki tarteeb oolat de maslan Al-hamd se pehle surah padh le ya ruku' se pehle sajda ba'ja laaye to ooski namaaz baatil ho jaati hai.
1096. Agar koi shakhs namaaz ka koi rukn bhool jaaye aur ooske ba'd ka rukn ba'ja laaye maslan ruku' karne se pehle sajda ba'jaa laaye to ehteyaat ki bina par baatil ho jaati hai.
1097. Agar koi shakhs namaaz ka koi rukn bhool jaaye aur aisi cheez ba'jaa laaye jo ooske ba'd ho aur rukn na ho maslan oosse pehle do sajde kare tashahhud padh le to zaruri hai ke rukn ba'jaa laye aur jo kuch bhoolkar oosse pehle padha ho ose dobaara padhe.
1098. Agar koi aisi cheez bhool jaaye jo rukn na ho aur ooske ba'd ka rukn ba'jaa laaye maslan Al-hamd bhool jaaye aur ruku' mein chala jaaye to ooski namaaz sahi hai.
1099. Agar koi shakhs koi aisi cheez bhool jaaaye jo rukn na ho aur oos cheez ko ba'jaa laaye jo oos cheez ke ba'd ho aur woh bhi rukn na ho maslan Al-hamd bhool jaaye aur surah padh le to zaruri hai ke jo cheez bhool gaya ho ba'jaa laaye aur ooske ba'd jo cheez woh pehle padh li ho dobaara padhe.
1100. Agar koi shakhs pehla sajda is khayaal se ba'jaa laaye ke dasra sajda hai ya dasra sajda is khayaal se ba'ja laaaye ke pehla sajda hai to ooski namaaz sahi hai, aur ooska pehla sajda, pehla sajda, aur dasra sajda, dasra sajda shumaar hoga.

Mawalaat
1101. Zaruri hai ke insaan namaaz ki mawaalaat ke saath padhe ya'ni namaaz ke af'aal maslan ruku', sujood aur tashahhud tawaatir aur tassalsul ke saath ba'ja laaye aur jo cheezein bhi namaaz mein padhe ma'mool ke mutabiq pai dar pai padhe aur agar oonke darmiyaan itna faasla dale ke log yeh na kahein ke namaaaz padh raha hai to ooski namaaz baatil hai.
1102. Agar koi shakhs namaz mein sehwan harfo ya jumlo ke darmiyaan faasl de aur fasla itna na ho ke namaaz ki suurat barqaraar na rahe to agar woh abhi ba'd waale rukn mein masshghul na ho to zaruri hai ke woh harf ya jumle ma'mool ke mutabiq padhe aur agar ba'd ki koi cheez padhi jaa chuki hai to zaruri hai ke oose dohraaye aur agar ba'd ke rukn mein masshghul ho gaya ho to ooski namaaz sahi hai.
1103. Ruku' aur sujood ko lamba karne aur namaaz mein lambi lambi suuratein padhne se mawalaat par koi asar nahi padta.

Qoonoot
1104. Tamaam waajib aur mustahab namaazon ki dusri rak'at ke ruku' se pehle Qoonoot padhna mustahab hai laikin namaaz-e-shifa mein zaruri hai ke oose ra'ja ki niyyat se padhe aur namaaz-e-witr mein bhi ba- wajood iske ki ek rak'at ki hoti hai ruku' se pehle Qoonoot padhna mustahab hai, namaaz-e-jummah ki har rak'at mein ek Qoonoot, namaaz-e-a'yaat mein paanch Qoonoot,namaaz-e-Eid-ul-fitr aur Qurbaan ki dono rak'aton mein mila kar chand Qoonoot hain jis ki tafseel ka tazkeraah apne maqaam par aayegaa.

1105. Mustahab hai ke Qoonoot padhte vaqt haath chehre ke saamne aur hatheliyan ek dusre ke saath milakar aasmaan ki taraf rakhe aur anghuthon ke a'lawa baaqi uoongliyon ko milaaye aur nighaah hatheliyon pe rakhe balke ehteyaat-e-waajib ki bina par haath uuthaaye baghair Qoonoot nahi ho sakta ,siwaaye iske keh majboori ho.
1106. Qoonooot mein insaan jo zikr bhi padhe khwaha woh ek dafa "Subhaanallah" hi kyoon na kahe kaafi hai aur behtar hai key yeh dua padhe: "Laa ilaaha illallaho halimul kareem, laa ilaha illallahul aliyul azeem, Subhaana rabbis samaawaatis sab'ewa rabbal arzeena sab'e wama fi henna wama baina hoonna wa rabbil arshil azeem,walhamdo lillaha rabbil a'lemeen".
1107. Mustahab hai ke insaan Qoonoot buland awaaz se padhe laikin agar ek shakhs jam'aat ke saath namaaz padh raha ho aur imam ooski awaaz suoone to ooska buland awaaz se Qoonoot padhna mustahab nahi hai.
1108. Agar koi shakhs amdan Qoonoot na padhe to ooski qaza nahi hai aur agar bhool jaaye aur oosse pehle ruku' ke had tak jhuke oose yaad aa jaaye to mustahab hai ke khada ho jaaye aur Qoonoot padhe.Agar ruku' mein yaad aaye to mustahab hai ke ruku' ke ba'd qaza kare aur agar sajde mein yaad aaye to mustahab hai ke salaam ke ba'd qaza ooski qaza kare.

Namaaz ka tarjuma

(1) Surah AlHamd ka tarjuma.

Bismillahir Rehmaanir Raheem: "Bismillah "y'ani main ibteda karta hoon khuda ke naam se, oos zaat ke naam se jis mein tamaam kamaalaat yakjaa hain aur jo har qism ke nuqs se moonnazza hai. "Ar-Rehmaan" is baat ki rehmat wasi aur be inteha hai. "Ar-Raheem" ooski rehmat zaati aur azli- o -abdi hai.
"Alhamdu lillahi Rabbil 'alameen" ya'ni sana oos khuda wand ki zaat se maqsoos hai jo tamaam moujoodaat ka paalnewaala hai.
"Ar-Rehmaanir Raheem"ooski rehmat wasi aur beinteha hai, ooski rehmat zaati aur azli ar abdi hai.
"Maalik-e-Yaw middeen" ya'ni woh to ana zaat ke jaza ke din ki hukmraani ooske haath mein hai".
"Iyaaka na'budu wa iyaaka nasta'een" ya'ni hum faqat teri hi ibaadat karte hain aur faqat tujh hi se madad talab karte hain".
"Ehdinas saraatal mustaqeem" ya'ni hame raahe-e-raast ke jaanib hidayat farmaa jo deen-e-Islaam hai.
"Saraatal lazeena an 'amtaa 'alaihim" ya'ni oon logo ke raaste ki jaanib jinhe toone apni nemate ata ki hain jo ambiya aur ambiya ke jaanasheen hain.
"Ghayril maghzube 'alaihim walazzalleen" ya'nina oon logo ke raaste ki janib jin par tera ghazab ho aur na oon ki jaanib jo gumraah hain".

(2) Surah-e-Ikhlaas ka tarjuma.

Bismillahir Rehmaanir Raheem: "Bismillah "ya'ni main ibteda karta hoon khuda ke naam se, oos zaat ke naam se jis mein tamaam kamaalaat yakjaa hain aur jo har qism ke nuqs se moonnazza hai. "Ar-Rehmaan" is baat ki rehmat wasi aur beinteha hai. "Ar-Raheem" ooski rehmat zaati aur azli- o -abdi hai
"Qul huwallaho ahad" ya'ni (Aye muhhamed (s.a.w.s) aap keh dijiye ke khuda yakta hai
"Allahus samad" y'ani woh khuda jo tamaam mawjudaat se beniyaaz hai.
"Lam yalid walam yulad" ya'ni na ooski koi aulaad hai na woh kisi ki aulaad hai.
"Walam yakullahu kufuwan ahad" aur makhluqaat mein se koi bhi ooske misl nahi hai aur hum palla nahi hai.

(1) **Ruku', Sujood aur oon ke ba'd ke mustahab azkaar ka tarjuma**

"Subhana Rabbi yal 'Azimi wa bihamdhi" ya'ni mera azeem parwardigaar har aib aur nuqs se paak aur moonnazza hai, main ooski sataaish mein masshghul hoon.

"Subhana Rabbi yal A'la wa bihamdih" ya'ni mera parwardigaar jo sabse baalatar hai, har aib aur nuqs se paak aur moonazza hai, main ooski sataaish mein masshghul hoon.

"Same' Allahu leman hamidah" ya'ni jo koi khuda ki sataaish karta hai khuda ooski suoonta hai aur qabul karta hai

"Astaghfirullaha Rabbi wa atubu ilayh" ya'ni main maghferat talab karta hoon oos khuda wand se jo mera paalne waala hai aur main ooski taraf ruju karta hoon.

"Be haw lillahe wa quwwatehi aqumo wa aqu'd" ya'ni main khuda ta'ala ki madad se uuthta aur baithta hoon.

(2) **Qoonoot ka tarjuma.**

"La ilaha illallahul Halimul Karim" ya'ni koi khuda parrashtish ke laayak nahi hai siwaaye oos yakta aur bemisl khuda ke jo saahebaane hilm aur karam hai.

"La ilaha illallahul 'Aliyyul 'Azeem" ya'ni koi khuda parashtish ke laayak nahi hai siwaaye oos yakta aur bemisl khuda ke jo buland martaba aur buzurg hai.

"Subhanallahe Rabbis samawatis sab' wa Rabbil arazinas sab'" ya'ni paak aur moonazza hai woh jo saat aasmaano aur saat zameeno ka parwardigaar hai.

"Wama fi hinna wama bayna hoonna, wa Rabbil 'arshil 'azeem" ya'ni woh har cheez ka parwardigaar hai jo aasmaano aur zameeno mein aur oon ke darmiyaan hai aur arsh-e-azeem ka parwardigaar hai.

"Wal hamdu lillahe Rabbil Aalamin" ya'ni aur hamd-o-sana khuda ke liye maqsus hai jo tamaam mawjudaat ka paalne waala hai.

(3) **Tasbeehat-e-ar'ba ka tarjuma**

"Subhaanallahe wal hamdu lillahe wa la ilaha ilallahu wallahu Akbar" ya'ni khuda wande t'ala paak aur moonnazza hai aur sana oosi ke liye maqsus hai aur oos bemisl khuda ke 'alawa koi parastish ke laayak nahi hai aur woh oosse balatar hai ke ooski tausif ki jaa sake

(4) **Tashhahud aur salaam ka tarjuma**

"Al Hamdu lillahe, Ash hadu an la ilaha illal lahu wahdahu la sharika lah" ya'ni sataaish parwardigaar ke liye maqsus hai aur main gawaahi deta hoon siwaaye oos khuda ke jo yakta hai aur jiska koi shatiq nahi, koi parashtish ke laayak nahi.

"Wa Ashhadu anna Muhammadan 'abduhu wa Rasuluh" aur main gawaaahi deta hoon ke muhammed(s.a.w.s) khuda ke bande aur rasul hain.

"Alla humma salle 'ala Muhammadin wa Ale Muhammad" ya'ni aye khuda rehmat bhej muhammed aur oonki aal par

"Wa taqqabal shafa'atahu warfa' darajatahu" ya'ni rasul allah ki shifaa'at qabul kar aur aa hazrat ka darja apne nazdeek buland kar.

"Assalamu 'alayka ayyuhan Nabiyyu wa rahmatullahi wa barak'atuh" ya'ni aye Allah ke rasul aap par hamara salaam aur aap par Allah ki rehmate aur barkate naazil ho.

"Assalamu 'alayna wa 'ala 'ibadil lahis salihin" ya'ni hum namaaz padhne waalo aur tamaam saaleh bando par Allah ki taraf se salaamti ho-

"Assalamu 'alaykum wa rahmatullahi wa barak'atuh" ya'ni tum momineen par khuda ki taraf se salaamti rehmat aur barkat ho aur behtar yeh hai ki do salaam kehte vaqt ajmaali taur par nazar mein rakhe ke oon do salaamo mein namaaz ka hissa banate vaqt sha'raah-e-muqaddas ka maqsud jo afraad the wahi muraad hain.

T'aqeebat-e-namaaz

1109. Mustahab hai e namaaz padhne ke ba'd insaan kuch deir ke liye taaqibaat ya'ni zikr, dua aur Quraan-e-majeed padhne mein masshghul rahe.Behtar hai ke oosse pehle ke woh apni jagah se harkat kare aur ooska uzu,ghusl ya tayyamum baatil ho jaaye ru ba Qibla ho kar taqibaat padhe,Yeh zaruri nahi ke taqibaat arbi mein hi ho laikin behtar hai ke insaan woh dua'en padhe jo dua ki kitaab mein batayi gayi hain aur tasbeehaat-e-fatematuz zehara (s.a)mein se jin mein bohut zyaada taaqeed ki gayi hai.yeh tasbih is tarteeb se padhni chahiye 34 dafa"Allah ho Akbar, is ke ba'd 33 dafa "Al-Hamado lillah, iske ba'd 33 dafa "Subhaanallah"aur Subhaan Allah, Al-Hamdolillah se pehle bhi padha jaa sakta hai, laikin behtar hai ke Al-Hamdolillah ke ba'd padhe.

1110. Insaan ke liye mustahab hai ke namaaz ke ba'd sajda-e-shukr ba'ja laaye aur itna kaafi hai ke shukr ki niyyat se peshaani zameen par rakhe laikin behtar hai ke 100 dafa ya 3 dafa ya 1 dafa "Shkuran lillah" ya "afwan" kahe aur yeh bhi mustahab hai ke jab bhi insaan ko koi n'emat mile ya koi musibat tal jaaye to sajda-e-shukr baja laaye.

Pyghambar-e-Akram par durood.

1111. Jab bhi insaan Hazrat Rasool-e-Akram sal allaho alaihe wa a'lehi wasallam ka ism-e-mubarak maslan "mohammed", ya "ahmed" ya "Aa hazrat" ka laqab aur Qoonniyat maslan "Mustafa aur Abul Qaasim zabaan se ada kare ya suoone khwah namaaz mein hi kyoon na ho mustahab hai ke durood bheje.

1112. Hazrat Rasool-e-Akram(s.a.w.s) ka ism-e-mubarak likhte vaqt mustahab hai ke insaan durood bhi likhe aur behtar hai ke jab bhi Aa hazrat(s.a.w.s) ko yaad kare to durood bheje.

Mubtelaat-e-Namaaz

1113. 12 cheezein namaz ko baatil karti hain aur oonhein mubtelaat kaha jaata hai .

(1) Namaaz ke dauraan namaz ki sharton mein se koi shart mafqood ho jaaye maslan namaz padhte vaqt pata chale ke jis kapde ko pehenkar namaaz padh raha hai woh najis hai.

(2) Namaaz ke dauraan amdan ya sehwan majboori mein insaan ko kisi aisi cheez se do chaar hona pade jo wuzu ya ghusl ko baatil karde maslan ooska peshaab khata ho jaaye agarcge ehteyaat ki bina par is tarah namaz ki aakhri sajde ke ba'd sehwan ya majboori ki bina par ho.Ta'ham jo shakhs pehkhaan ya peshaab rok sakta ho agar namaaz mein oooska peshhab ya pakhaana nikal jaaye aur woh oos tariqe par amal kare jo ehkaam wuzu ke ze'l mein bataya gaya hai to ooski namaaz baatil nahi hogi isi tarah agar namaaz ke dauraan mustehaza ko khoon aa jaaye to agar oosne istehaaza ke muttaliq ehkaam ke mutabiq amal kiya hho to ooski namaaz sahi hai.

1114. Jis shakhs ko beikhteyaaar neend aa jaaye agar oose yeh na pata chale woh namaaz ke dauraan so gaya tha ya ooske ba'd soya to zaruri nahi hai ke dobara namaaz padhe bashart yeh ke oosne jo kuch namaaz mein padha hai woh is qadr rakhta hai oose aarefan namaaz kahein.

1115. Agar kisi shakhs ko ilm ho ke woh apni marzi se soya tha laikin shak kare ke namaaz ke ba'd soya tha ya namaaz ke dauraan yeh bhoolkar ke namaaz padh raha hai, so gaya tha to oos shart ke saath jo sabeqa massle mein bayaan ki gayi hai ooski namaaz sahi hai

1116. Agar koi shakhs neend se sajde ki haalat mein bedaar ho jaaye aur shak kare ke aaya woh namaaz ke aakhri sajde mein hai ya sajda-e-shukr mein to chaahe oose ilm ho ke apne ikhteyaar se so gaya tha ya be ikhteyaar so gaya tha, ooski namaaz sahi mana jaayegaa aur namaaz dohraane ki zarurat nahi hai.

(3) Yeh cheez mubtelaat-e-namaaz mein se hai ke insaan apne haathon ko aajizi aur adab ki niyyat se baandhe laikin oos kaam ki wajah se namaaz ka baatil hona ehteyaat ki bina par hai aur agar massrieeyat ki niyyat se anjaam de to oos kaam ke haraam hone mein ishkaal nahi hai.

1117. Agar koi shakhs bhoole ya majboori ya taqqaiye ki wajah se ya kisi aur kaam maslan haath khujaane ya aise hi kisi kaam ke liye hath pe haaath rakhe to koi harj nahi hai.

(4) Mubtelaat-e-namaaz mein se ek yeh hai ke Al-Hamd padhne ke ba'd ameen kahe. Agarche Ameen kehne ko hukm-e-shariyat samjhte hue Aameen kahe to ooske haarm hone mein koi ishkaal nahi hai. Beherhaal agar Aameen ko ghalti ya taqqaiye ki wajah se kahe to ooski namaaz mein koi harj nahi hai.

(5) Mubtelaat-e-namaaz mein se ek yeh hai ke baighair kisi 'uzr Qible se rukh phere. Laikin agar kisi 'uzr maslan bhool kar ya beikhteyari ki bina par maslan tez hawa ke thaphede oose Qible se pher de, chunanche agar daa'e ya baa'ye simt tak na pohoonche to ooski namaaz sahi hai. Laikin zaruri hai ke jaise hi uzr doo ho fauran apna qibla durust kare.Agar daa'ye ya baa'ye taraf muud jaaye ya Qible ki taraf pust ho jaaye, agar ooska uzr bhoolne ki wajah se, ya qible ki pehchhan ki ghalti ki wajah se hua ho oos vaqt woh muttawahjjeh ho ya oose yaad aaye ke agar namaaz ko tode to vaqt guzarne se pehle oos namaaz ko dobaara vaqt mein ada karna mumkin ho, chaahe oos namaaz ki ek rak'at hi vaqt mein ada ho sake to zaruri hai ke namaaz ko tod kar naye sare se ada kare warna osi namaaz par iktefa kare aur oos par qaza laazim nahi. Yahi hukm oos vaqt hai jab Qible se ooska phirna beikteyaari ki bina par ho. Choonanche Qible se phire baghair agar namaaz ko dobaara vaqt mein padh sakta ho. Agarche vaqt mein ek rak'at hi padhi jaa sakti ho zaruri hai ke naye sare se padhe warna zaruri hai ke oosi namaaz ko tamaam kare aur qaza oos par laazim nahi.

1118. Agar faqt apne chehre ko qible se ghumaye laikin oos ka badan qible ki taraf ho choonanche iis had tak gardan ko mode keh apne sar ke peechhe kuchh dekh sake to oos ke liye bhi wahi hukm hai jo qible se jane waale ke liye hai jis ka zikr pahle kiya ja chuka hai aur agar apni gardan ko iis had tak nap here laikin itna ho keh 'arfan oose zayada gardan pherna kaha jaye to ehteyaat-e-wajib ki bina par zaruri hai keh oos namaaz ko dohraye. Han! Agar apni gardan ko bohut kam ghumaaye to oos se namaaz batil nahin hoti. Agarche yeh kaam makruh hai.

(6) Mubtelat-e-namaaz mein ek yeh hai ke amdan baat kare.Chaahe woh ek aisa lafz ho ke jis mein ek lafz se zyaada na ho laikin woh harf ya ma'ni ho maslan(Qaaf) ke jis ke arbi zabaan mein maane "hifaazat karo" ke hain ya koi aur maane samjh mein aate ho maslan (be) oos shakhs ke jawaab mein ke jo harf-e-tahehji ke harf-e-dowwam ke baare mein sawaal kare. Han! agar oos lafz se koi maane bhi samjh mein na aate hon aur woh do ya do se zyaada harfon se murkab ho tab bhi ki bina par (woh lafz) namaaz ko baatil karta hai.

1119. Agar koi shakhs bhoole se aisa kalma kahe jiske harf ek ya sse zyaada ho to khwaha woh kalma ma'ni bhi rakhta ho oos shkah k namaaz baatil nahi hoti laikin ehteyaat ki bina par ooske liye zaruri hai ke jaisa ke ba'd mein zikr aayegaa namaaz ke ba'd sajda-e-sahw baj'a laaye.

1120. Namaaz ki haalat mein khaasne,ya dakaar lene mein koi harj nahi haiaur ehteyaat-e-laazim ki bina par zaruri hai ke namaaz mein ikhteyaaran aah nab hare aur na hi giriya kare . "Aakh" aur "Aah "aur oon hi jaise alfaaz amdan kehna namaaz ko baatil kar deta hai.

1121. Agar koi shakhs koi lafz zikr ke qasd se kahe maslan zikr ke qasd se "Allaho Akbar" kahe aur oose kehte vaqt awaaz ko buland kare takeh dusre shakhs ko kisi cheez ki taraf mutaawajjeh kare to oos mein koi harj nahi hai. Isi tarah agar koi lafz zikr-e-qasd se kahe

agarche jaanta ho ke oos kaam ki wajah se koi kisi matlab ki taraf muttawajjeh ho jaayegaa to koi harj nahi laikin agar bilkul zikr-e-qasd na kare ya dodno cheezon ka is tarah qasd kare ke lafz ko ba-ek vaqt do ma'ni mein istemaal kar raha ho to ooski namaaz baatil hai.Han! zikr-e-qasd kare,jabke zikr karne ka sabab yeh ho ke woh kisi ko muttawajjeh karna chata ho to ooski naamaz sahi hai.

1122. Namaaz mein Quraan padhne aur dua karne mein koi harj nahi laikin ehteyaat-e-mustahab yeh hai ki Arbi ke al'awa kisi aur zabaan mein dua na kare.(chaar aayato ka hukm e jin mein mein waajib sajda hai Qira't ke massla no.970 mein bayaan ho chuka hai)

1123. Agar koi shakhs amdan ya ehteyaatan Al-Hamd ya surah ke kisi hisse ya azkaar-e-namaaz ki takraar kare to koi harj nahi hai.

1124. Zaruri hai ke insaan namaaz ki haalat mein kisi ko salaam na kare aur agar koi dasra shakhs oose salaam kare to zaruri hai ke jawaab de. Laikin jawaab salaam ki maanind hona chaaahiye ya'ni zaruri hai ke asl salaam par izaafa na ho maslan jawaab mein yeh nahi kehna chaahiye ke "salaam alaikum wa rehmatullahe wa barak'atohu" balkeh ehteyaat-e-laazim ki bina par zaruri hai ke agar salaam karne waale ne Alaikum ya Aleka ko salaam ke lafz se pehle na kaha ho to jawaab oosi tarah se jis tarah oosne salaam kiya ho. Maslan agar kaha ho "salaamoon alaikum"to jawaab mein kahe "salaamoon alaikum". Aur agar kaha ho As-salaamo alaikum to kahe As-salaamo alaikum. Agar kaha ho salaamoon aleka to kahe salaamoon aleka laikin alaikum salaam ke jawaab mein alaikum salaam, As-salaamo aliakum ya salaamoon alaikum keh sakta hai

1125. Zaruri hai ke insaan chaahe namaaz ki haalat mein ho ya na ho salaam ka jawaab fauran de aur agar jaan bhoojh kar ya bhoole se salaam ka jawaab dene mein itna tawqif kare ke agar jawaab de to woh oos salaam ka jawaab shumaar na ho to agar woh namaaz ki haalat mein ho to zaruri hai ke jawaab na de aur agar namaaz ki haalat mein na ho to jawaab dena waajib nahi hai.

1126. Salaaam ka jawaab is tarah dena zaruri hai ke salaam ke salaam karne wala suoon le laikin agar salaam karne wala behra ho ya keh kar jaldi se guzar jaaye chunanche mumkin ho ke salaam ka jawaab ishaare se ya kisi aur tariqe se oose samjha sake to jawaab dena zaruri hai. Is suurat ke al'awa jawaab dena namaaz ke al'awa kisi aur jagah par zaruri nahi aur namaaz mein jayez nahi hai.

1127. Waajib hai ke namaazi salaam ke jawaab ko salaam ki niyyat se kahe. Dua ka qasd karne mein bhi koi harj nahi ya'ni khuda wande 'alam se oos shakhs ke liye salaamati chaahe jisne salaam kiya ho.

1128. Agar na mehram mard ya aurat ya woh bachha jo acche bure ki tameez kar sakta ho namaaz padhne waale ko salaam kare to zaruri hai ke namaaz padhne wala ooske salaam ka jawaab de aur agar aurat Sallmoon aleka kah kar salaam kare to jawaab mein keh sakta hai Salaamoon aliake ya'ni "qaaf" ko zer de.

1129. Agar namaaz padhne wala salaam ka jawaab na de to goonaahgaar hai laikin ooski namaaz sahi hai.

1130. Agar koi shakhs namaaz padhne waale ko ghalat salaam kare to ehteyaat-e-waajib ki bina par zaruri hai ke ooske salaam ka sahi jawaab de.

1131. Kisi aise shakhs ke salaam ka jawaab dena jo mazah aur tamsakhar ke taur par salaam kare au raise ghair muslim mard aur aurat ke salaam ka jawaab dena jo zimmmi na ho waajib nahi haiaur agar zimmi ho to ehteyaat-e-waajib ki bina par oonke jawaab mein sirf lafz-e-aleka kaha jaaye.

1132. Agar koi shakhs kisi giroh ko salaam kare to oon sab par salaam ka jawaab dena waajib hai laikin agar oon mein se ek shakhs jawaab de to kaafi hai.

1133. Agar koi shakhs kisi giroh ko salaam kare aur jawaab koi aisa shakhs de jise salaam karne ka salaam karne waale ne iraada na kiya ho to (oos shakhs ke jawaab den eke bawajood) salaam ka jawaab oos giroh par waajib hai.
1134. Agar koi shakhs kisi giroh ko salaam kare aur oos giroh mein se jo shakhs namaaz mein masshghool ho woh shak kare ke salaam karne waale ka iraada oose bhi salaam karne ka tha ya nahi to zaruri hai ke jawaab na de aur agar namaaz padhne waale ko yaqeen ho ke oos shakhs ka iraada oose bhi salaam karne ka tha laikin koi shakhs salaam ka jawaab de de to is soorat mein bhi ehteyaat-e-waajib ki bina par yahi hukm hai.Laikin agar namaaz padhne waale ko ma'loom ho ke salaam karnee waale ka iraada oose bhi salaam karne ka tha aur koi dasra jawaab na de ya shak kare ke ooske salaam ka jawaab diya gaya ya nahito zaruri hai ke salaam ka jawaab de.
1135. Salaam karna mustahab hai aur is amr ki bohut ta'qeed ki gayi hai aur sawaar paidal ko aur khada hua shakhs baithe hue ko aur chota bade ko salaam kare.
1136. Agar koi shakhs aapas mein ek dusreko salaam kare to ehteyaat-e-waajib ki bina par zaruri hai ke oon mein se har ek dusre ke salaam ka jawaab de.
1137. Agar insaaan namaaz na padh raha ho to mustahab hai ke salaam ka jawaab oos salaam se behtar alfaaz mein de maslan agar koi "salaamoon alaikum" kahe to aap kahe salaamoon alaikum wa rehmatulaahe wa barak'atohu.

(7) Namaaz ke mubtelaat mein se ek awaaz se saath ya jaan bhoojh ke hasna hai, agarche beikhteyaar hanse laikin jin baton ki wajah se hase woh ikhteyaari ho, balke ehteyaat ki bina par jin baton ki wajah se hasi aayi ho agar woh ikhteyaari na bhi ho tab bhi agar namaaz ko dohraane jitna vaqt baaqi ho to zaruri hai ke namaz ko dohraaye. Laikin agar jaan bhoojh kar baghair awaaz ke ya sehwan awaaz ke saath hase to oos namaaz mein koi harj nahi.

1138. Agar hasi ki awaaz rokne ke liye kisi shakhs ki haalat badal jaaye maslan ooska rang surkh ho jaaye to ehteyaat ki bina par namaaz dobara padhe

(8) Ehteyaat-e-waajib ki bina par yeh namaaz ki mubtelaat mein se hai ke insaan doonyaavi kaam ke liye jaan bhoojh kar awaaz se ya baghair awaaz se roye laikin agar khauf-e-khuda se ya ooske ishteqaq mein aakherat ke liye roye to khaha aahista roye ya buland awaaaz se roye koi harj nahi hai balke yeh behtareen amal mein se hai balke agar khuda se doonyaavi haajat ki baraa wari ke liye ooski baargaah mein apni pasti ke izhaar ke liye roye to bhi koi harj nahi hai

(9) Namaaz baatil karne waali cheezon mein se hai ke koi aisa kaam kare jisse namaaz ki shakl baaqi na rahe maslan oochalna, koodna aur isi tarah ka koi amal dena chahe. Aisa karna amdan ho ya bhool chuk ki wajah se ho. Laikin jis kaam se namaaz ki shakl na tabdeel hui ho maslan haath se ishaara karna oos mein koi harj nahi hai.

1139. Agar koi shakhs namaaz mein is qadr saakit ho jaaye ke koi yeh na keh sake ke namaaz padh raha ho to ooski namaaz baatil ho jaati hai.
1140. Agar koi shakhs namaaz ke dauraan koi kaam kare ya kuch deir saakit rahe aur shak kare ke kare ke ooski namaaz tuut gayi hai ya nahi to zaruri hai ke namaaz ko dobaara padhe aur behtar yeh hai ke namaaz poori kare aur phir dobaara padhe.

(10) Mubtelaat-e-namaaz mein se ek khana aur peena hai. Pas agar koi shakhs namaaz ke dauraan is tarah khaaye pee'ye ke log yeh na keh sake ke namaz padh rah ho to ooski namaaz baatil ho jaati hai. Albatta agar koi shakhs roza rakhna chahta ho agar woh subh ki azaan se pehle mustahab namaaz padh raha ho aur pyaasa ho aur oose darr ho ke agar namaaz poori kare to subah ho jaayegi to agar paani ooske saamne do teen kadam ke

faasle par ho to woh namaaz ke dauraan paani pee sakta hai. Laikin zaruri hai ke koi aisa kaam maslan “qible se muh pherna” na kare jo namaaz baatil kar deti hai.

1141. Agar kisi ka jaan bhoojh kar khaana ya peena namaaz ki shakl ko khatm na bhi kare tab bhi ehteyaat-e-waajib ki bina par zaruri hai ke namaaz ko dobara padhe khwaha namaaz ka tassalsul khatm ho ya’ni yeh na kaha jaaye ke namaaz ko musalsal padh raha hai ya namaaz ka tasalsul khatm ho jaaye.

1142. Agar koi shakhs namaaz ke dauraan koi aisi cheez nigal jaaye jo ooske muh ya daanto ke rehno mein reh gayi ho to ooski namaz baatil nahi hoti. Isii tarah agar koi kand ya shakkar ya inhi jaisi cheez muh mein reh gayi ho aur namaaz ki haalat mein aahista aahista ghol kar pet mein chali jaaye to koi harj nahi hai.

(11) Mubtelaat-e-namaaz mein se do rak’ati ya teen rak’atinamaaz ki rak’ato mein ya chaar rak’ati namazon mein pehli do rak’aton mein shak shak karna hai basharte ke namaaz padhne wala shak ki haalat mein baaqi rahe .

(12) Mubtelaat-e-namaz mein se ek yeh bhi hai ke koi shakhs namaaz ka rukn jaan bhoojh kar ya bhool kar kam kar de ya ek aisi cheez ko jo rukn nahi hai jaan bhoojh kar ghataaaye ya ya jaan bhoojh kar namaaz mein koi chez badhaaye.Isi tarah agar kisi rukn maslan ruku’ ya do sajdo ko ek rak’at mein gahlti se bahda de to ehteyaat-e-waajib ki bina par ooski namaaz baatil ho jaayegi albatta bhoole se Takbeeratul ehraam ki zyaadti namaaz ko baatil nahi karti.

1143. Agar koi shakhs namaaz ke dauraan yeh shak kare ke dauraane namaaaz oosne koi aisa kaam kiya hai ya nahi jo namaaz ko baatil karta hai to ooski namaaz sahi hai.

Woh cheezein jo namaaz mein makruh hain

1144. Kisi shakhs ka namaaz mein apna chehra daa’e ya baa’e jaanib itna kam modna ke woh apne peeche ki jaanib maujood kisi cheez ko na dekh sake aur agar apne chehre ko itna ghumaaye ke oose peeche ki cheezein nazar aa sake to jaisa ke pehle bayaan ho chuka hai ooski namaaz baatil hai.Yeh bhi makruh hai ke koi shakhs namaaz mein apni aankhein band kar le ya daa’e ya baa’e taraf ghumaye ya apni dadhi ya haathon se khele aur uoongliyaan ek dusre mein daakhil kare aur thooke aur Quraan-e-majeed ya kisi aur kitaab ya anghoothi ki tehreer ko dekhe.Yeh bhi makruh hai ke Al-hamd, surah aur zikr padhte vaqt kisi ki baat suoonne ke liye khamosh ho jaaye balke har woh kaam jo ke khuzoo aur khushu ko khatm kar de makruh hai.

1145. Ab insaaan ko neend aa rahi ho aur oos vaqt bhi jab oos ne peshaab aur pehkhaana rok rakha ho namaaz padhna makruh hai aur isi tarah namaaz ki haalat mein aisa moza pehhenna bhi makruh hai jo paao ko dabaaye aur in ke al’awa dusre makruhaat muffassal kitabo mein bayaan kiye gaye hain

Woh suurtein jin mein waajib namaazein todi jaa sakti hain.

1146. Ikhteyaari haalaat mein waajib namaaz ka todna ehteyaat-e-waajib ki bina par jayez nahi hai laikin maal ki hifaazat aur maali ya jismaani zar se bachne ke liye namaaz todne mein koi harj nahi balke woh tamaam deeni aur doonyaavi kaam jo namaazi ke liye aham ho, oonke liye namaaz todne mein koi harj nahi.

1147. Agar insaan ki apni jaan ki hifaazat ya kisi aise shakhs ki jaan ki hifaazat jiski nigaahdaasht waajib ho, namaaz tode baghair mumkin na ho to zaruri hai ke namaaz tod de.

1148. Agar koi shakhs wasi vaqt mein namaaz padhne lage aur karza khwah oosse apne karze ka mutaaleba kare aur woh ooska karz namaz ke dauraan ada kar sakta ho to zaruri hai namaaz tod de aur ooska karza ada kare aur ba’d mein namaaz padhe.

1149. Agar kisi shakhs ko namaaz ke dauraan pata chale ke massjid najis hai aut vaqt tang ho to zaruri hai ke namaaz tamaam kare aur agar vaqt wasi ho aur massjid ko paak karne se namaaz na tooti ho to zaruri hai ke namaaz ke dauraan massjid ko paak aur ba'd mein baaqi namaaz padhe aur agar namaaz toot jaati ho aur namaaz ke ba'd massjid ko paak karna mumkin ho to massjid ko paak karne ke liye oos namaaz ko todna jayez hai aur agar namaaz ke ba'd massjid ka paak karna mumkin na ho to zaruri hai ke namaaz ko tod de aur massjid ko paak kare aur ba'd mein namaaz padhe

1150. Jis shakhs ke liye namaaz todna zaruri ho agar woh namaaz khatm kare to woh goonaahgaar hoga laikin ooski namaz sahi hai aur ehteyaat-e-mustahab hai ke woh dobara namaaz padhe

1151. Agar kisi shakhs ko qir'at ya ruku' ke jhukne ki had tak jhukne se pehle yaad aa jaaye ke woh azaan aur iqaamat ya faqt iqaamat kehna bhool gaya hai aur namaaz ka vaqt wasi ho to oonhein kehne ke liye namaaz tod de balke namaaz khatm hone se pehle oose yaad aaye ke oonhein bhool gaya tha tab bhi mustahab hai ke oonhein kehne ke liye namaaz tod de.

Shakkiyaat-e-namaaz

Namaaz ke shakkiyaat ki 22 qismein hain. Oon mein se 7 oos qism ke shak hain jo namaaz ko baatil kar deta hai aur 6 shak oos qism ke shak hain jinki parwah nahi karni chaahiye aur baaqi 9 oos qism ke shak hain jo sahi hain.

Woh shak jo namaaz ko baatil karte hain

1152. Jo shak namaaz ko baatil karte hain woh yeh hain

(1) Do rak'ati waajib namaz maslan namaz-e-subh aur namaaz-e-musafir ki rak'ato ki ta'daad ke baare mein shak. Albatta namaaz-e-mustahab aur namaaz-e-ehteyaat ki rak'ato ki ta'daad ke baare mein shak namaaz ko baatil nahi karta.

(2) Teen rak'ati namaaz ke baare mein shak kare.

(3) Chaar rak'ati namaaz mein koi shak kare ke oosne ek rak'at padhi hai ya oosse zyaada padhi hai.

(4) Chaar rak'ati namaz mein dusre sajde mein daakhil hone se pehle se pehle namaazi shak kare ke oosne do rak'atein padhi hain ya oos se zyaada padhi hain.

(5) Do aur paanch rak'ato mein ya do aur paanch rak'at se zyaada rak'ato mein shak kare.

(6) Teen aur paanch rak'ato mein aur teen aur chheh se zyaada rak'ato mein shak kare.

(7) Chaar aur chheh rak'ato ke darmiyaan shak ya chaar aur chheh se zyaada rak'ato ke darmiyaan sahk, jis ki tafseel aayegi.

1153. Agar insaan ko namaaz baatil karne waale shakuk mein se koi shak pesh aaye to behtar yeh hai ke jaise hi ooska shak mustakam ho namaaz na tode balke is qadr ghauro fikr kare ke namaaz ki shakl barqaraar na rahe ya yaqeen ya gumaan haasil hone se na uumeed ho jaaye.

Woh shak jin ki parwah nahi karni chahiye

1154. Woh shaquq jin ki parwah nahi karni chahiye mandarze darj hai

(1) Oos fa'el mein shak jis ke baj'aa lane ka mauqa guzar gaya ho maslan insaan ruku' mein shak kare ke oosne Al-Hamd padha hai ya nahi.

(2) Salaam-e-namaaz ke ba'd shak

(3) Namaaz ka vaqt guzar jaane ke ba'd ka shak.

(4) Kaseerul shak ka shak-ya'ni oos shakhs ka shak jo bohut zyaada shak karta hai.

(5) Rak’ato ki t’adaad ke baare mein Imaam ka shak jab ki ma’moon oonki rak’at jaanta ho aur isi tarah m’amoon ka shak jabke Imam namaaz ki rak’ato ki t’adaad jaanta ho.
(6) Mustahab namaazon aur ehteyaat mein shak.

(1) **Jis fa’el ka mauqa guzar gaya ho oos fa’el mein shak karna.**
1155. Agar namaazi namaaz ke dauraan shak kare ke oosne namaaz ka ek waajib fa’el anjaam diya hai ya nahi maslan oose shak ho ke Al-Hamd padhi hai ya nahi jabke oos kaam ko amdan tark karke jis kaam mein masshghool ho oos kaam mein shar’an masshghuul nahi hona chahiye tha maslan surah padhte vaqt shak kare ke Al-Hamd padhi hai ya nahi to zaruri hai ke apni shak ki parwah nah kare. Is soorat ke al’awa zaruri hai ke jis cheez ki anjaam deh ke baare mein shak ho ba’ja laaye.
1156. Agar namaazi koi aayat padhte hue shak kare ke oos se pehle ki aayat padhi hai ya nahi ya jis vaqt aayat ka aakhri hissa padh raha ho shak kare ke ooska pehla hissa padha hai ya nahi to zaruri hai ke apni shak ki parwah na kare.
1157. Agar namaazi ruku’ aur sujood ke ba’d shak kare ke oon ke waajib af’aal maslan zikr aur badan ka sukoon ki haalat mein hona, oosne anjaam diye hai ya nahi to zaruri hai ke apne shak ki parwah na kare.
1158. Agar namaazi sajde mein jaate vaqt sahk kare ke ruku’ ba’jaa laaya ya nahi ya shak kare ke ruku’ ke ba’d khada hua tha ya nahi to zaruri hai ke apne shak ki parwah na kare
1159. Agar namaazi khade hote vaqt shak kare ke sajda ya tashahhud ba’ja laaya ya nahi to zaruri hai ke apne shak ki parwah na kare
1160. Jo shakhs baith kar ya laet kar namaaz padh raha ho agar Al-Hamd ya tasbihaat padhne ke vaqt shak kare ke sajda ya tasshahhud ba’ja laaya ya nahi to zaruri hai ke apne shak ki parwah na kare aur agar Al-Hamd aur tasbihaat mein masshghool hone se pehle shak kare ke sajda ya tashahhud ba’ja laaya ya nahi to zaruri hai ke ba’ja laaye.
1161. Agar namaazi shak kare ke ek aisa amal jo namaaz ka rukn nahi hai baj’a laaya ya nahi aur ooske ba’d aane waale fa’el mein masshghool na hua ho to zaruri hai ke oose ba’ja laaye aur agar ba’d mein oose yaad aaye ke woh oos rukn ko anjaam de chuka tha to ek rukn badh jaane ki wajah se ehteyaat-e-laazim ki bina par oos ki namaaz baatil hai.
1162. Agar namaazi shak kare ke ek aisa amal jo namaaz ka rukn nahi hai ba’ja laaya hai ya nahi aur oos ke ba’d aane waale fa’el mein masshghool na ho to zaruri hai ke oose ba’ja laaye. Maslan agar surah padhne se pehle shak kare ke Al-hamd padi hai ya nahi to zaruri hai ke al-Hamd padhe aur agar oose anjaam dene ke ba’d oose yaad aaye ke oose pehle hi baj’aa la chuka tha to choonke rukn zyaada nahi hua hai is liye namaaz sahi hai.
1163. Agar namazi shak kare ke ek rukn ba’ja laaaya hai ya nahi maslan jab tashahhud padh raha ho to shak kare ke do sajde baj’a laaya hai ya nahi aur apne shak ki parwah na kare aur ba’d mein oose yaad aaye ke oos rukn ko baj’a nahi laaya to agar woh ba’d waale rukn mein masshghool na hua ho to zaruri hai ke oos rukn ko baj’a laaye aur agar ba’d waale rukn mein masshghool ho gaya ho to ooski namaz ehteyaat-e-laazim ki bina par baatil hai. Maslan agar ba’d waale rak’at ke ruku’ se pehle oose yaad aaye ke do sajde nahi ba’ja laaye to zaruri hai ke baj’a laaye aur agar ruku’ mein ya oos ke ba’d aaye to jaisa ke bataya jaa chuka hai ooski namaaz baatil hai.
1164. Agar namaazi shak kare ke woh ek ghair rukni amal ba’ja laaya hai ya nahi aur ooske ba’d waale amal mein masshghool ho chukka ho to zaruri hai ke apne shak ki parwah na kare. Maslan jis vaqt surah padh raha ho shak kare ke Al-Hamd padhi hai ya nahi to apne shak ki parwah na kare. Albatta agar oose kuch daer mein yaad aa jaaye ke oos amal ko baj’a nahi laaya

aur abhi ba'd waale rukn mein masshghool nahi hua ho to zaruri hai ke oos amal ko aur ooske ba'd waale amal ko baj'a laaye aur agar ba'd waale rukn mein masshghool ho gaya ho to ooski namaaz sahi hai. Is bina par maslan agar qoonoot mein oose yaad aa jaaye ke oosne Al-Hamd nahi padhi thi to zaruri hai ke Al-Hamd aur surah dono ko padhe aur agar yeh baat oose ruku' mein yaad aaye to ooski namaaz sahi hai.

1165. Agar namaazi shak kare ke oosne namaaz ka salaam padha hai ya nahi aur taaqibaat ya dusri namaaz mein masshghool ho jaaye ya koi aisa kaam kare jo namaaz ko barqaraar nahi rakhta aur haalat-e namaaz se kharij ho gaya ho to zaruri hai ke apne shak ki parwah na kare aur agar in suuraton se pehle shak kare to zaruri hai ke salaam padhe aur shak kare ke salaam durust padha hai ya nai to apne shak ki parwah nahi karni chahiye.

Salaam ke ba'd shak karna

1166. Agar namaazi salaam ke ba'd shak kare ke oosne namaaz sahi taur par padhi hai ya nahi maslan sahk kare ke ruku' ada kiya hai ya nahi ya chaar rak'ati namaz ke salaam ke ba'd shak kare ke chaar rak'atein padhi ya paanch, to woh apne shak ki parwah na kare laikin agar oose dono taraf namaaz baatil hone ka shak ho maslan chaar rak'ati namaaz ke salaam ke ba'd shak kare ke teen rak'at padhi ya paanch rak'at to ooski namaaz batil hai.

(3) Vaqt ke ba'd shak karna

1167. Agar koi shakhs namaaz ke vaqt guzarne ke ba'd shak kare ke oosne namaaz padhi hai ya nahi ya gumaan kare ke nahi padhi to oos namaaz ka padhna laazim nahi hai laikin agar vaqt guzarne se pehle shak kare ke namaaz padhi hai ya nahi to khwaha gumaan kare ke padhi hai phir bhi zaruri hai ke namaaz woh padhe.

1168. Agar koi shakhs vaqt guzarne ke ba'd shak kare ke oosne namaaz durust padhi hai ya nahi to apne shak ki parwah na kare.

1169. Agar namaaz-e-zuhr aur asr ka vaqt guzar jaane ke ba'd namaazi jaan le ke chaar rak'ati namaaz padhi hai laikin yeh ma'loom na ho ke zuhr ki niyyat se padhi hai ya asr ki niyyat se to zaruri hai ke chaar rak'at namaaz qaza oos namaaz ki niyyat se padhe jo ooos par waajib hai.

1170. Agar maghrib aur isha ki namaaz ka vaqt guzar jaane ke ba'd namaazi ko pata chale ke oosne ek namaaz padhi hai laikin yeh ilm na ho ke teen rak'ati padhi hai ya chaar rak'ati, to zaruri hai ke maghrib aur isha dono namaazon ki qaza kare.

(4) Kasarul shak ka shak karna

1171. Kasarul shak woh shakhs hai jo bohut zayada shak kare y'ani woh shakhs jo tawjihaat ko bantne waale asbaab ki mawjudgi ke a'tbaar se oose apne hi jaise logon ke muqable mein zayada shak karta hai sirf wahi shakhs kasarul shak nahin hai keh shak karna jis ki 'adat ban chuki ho balkeh woh shakhs bhi kasarul shak mana jayegaa jo oos 'arze mein mubtala ho raha ho.

1172. Agar kasarul shak namaaz ke ajza' mein se kisi ke anjaam den eke baare mein shak kare to oose yuoon samajhna chahiye keh oos jazu ko anjaam de diya hai. Maslan agar shak kare keh ruku' kiya hai ya nahian to oose samajhna chahiye keh ruku' kar liya hai aur agar kisi aisii cheez ke baare mein shak kare jo mubtal namaaz hai maslan shak kare keh subh ki namaaz do rak'at padhi hai ya teen rak'at to yahi samjhe namaaz theek padhi hai.

1173. Jis shakhs ko namaaz ke kisi khaas jazu ke baare mein itna zayada shak hota ho, keh shak ki kasrat oosi jazu se makhsus hokar rah jaye, agar woh namaaz ke kisi dusre jazu ke baare mein shak kare to zaruri hai keh shak ke ehkaam par 'amal kare. Maslan kisi ko zayada shak iis baat mein hota ho keh sajda kiya hai ya nahin, agar oose ruku' karne ke ba'd shak ho to zaruri hai keh

shak ke hukm par ‘amal kare y’ani agar abhi sajde mein na gaya ho to ruku’ kare aur agar sajde mein chala gaya ho to shak ki parvah na kare.

1174. Jo shakhs kisi makhsus namaaz maslan zuhr ki namaaz mein iis tarah shak karta hai keh kasrat oosi zuhr ki namaaz se makhsus hokar rah jaye, agar woh kisi dusri namaaz maslan ‘asr ki namaaz mein shak kare to zaruri hai keh shak ke ehkaam par ‘amal kare.

1175. Jo shakhs kisi makhsus jagah par namaaz padhte vaqt isii kaifiyat ke sathh zayada shak kare jis ka tazkerah peechhe massle mein hua, agar woh kisi dusri jagah namaaz padhe aur oose shak paida ho to zaruri hai keh shak ke ehkaam par ‘amal kare.

1176. Agar kisi shakhs ko iis baare mein shak ho keh woh kasarul shak ho gaya hai ya nahin to zaruri hai keh shak ke ehkaam par ‘mal kare aur kasarul shak shakhs ko jab tak yaqeen na ho jaye keh woh logon ki ‘aam haalat par laut aaya hai aur oos ke shak ki booniyaad yeh ho keh aaya oos ki haalat tabdeel huyee hai ya nahin, yeh na ho keh kasarul shak ke m’ani kya hote hain to zaruri hai keh apne shak ki parvah na kare.

1177. Agar kasarul shak shakhs, shak kare keh ek rukn baja lay ahia ya nahin aur woh iis shak ki parvah bhi na kare aur phir oose yaad aaye keh woh rukn baja nahin laya aur oos ke ba’d ke rukn mein masshghul na ho to zaruri hai keh oos rukn ko aur jo kuchh oos ke ba’d hai, baja laye aur agar ba’d ke rukn mein masshghul ho gaya ho to oos ki namaaz ehteyaat ki bina par batil hai. Maslan agar shak kare keh ruku’ kiya hai ya nahin aur iis shak ki parvah na kare aur dusre sajde se pahle oose yaad aaye keh ruku’ nahin kiya thha to zaruri hai keh ruku’ kare aur agar dusre sajde ke dauraan oose yaad aaye to oos ki namaaz ehteyaat ki bina par batil hai.

1178. Jo shakhs zayada shak karta hai agar woh shak kare keh koi aisa ‘amal jo rukn na ho anjaam diya hai ya nahin aur iis shak ki parvah na kare aur ba’d mein oose yaad aaye keh woh ‘amal anjaam diya, to agar anjaam den eke maqaam se abhi na guzra ho to zaruri hai keh oose aur oos ke ba’d waale af’al ko anjaam de aur agar ooske maqaam se guzar gaya ho to ooaki namaaz sahi hai. Maslan agar shak kare keh alhamd padhi hai ya nahin aur shak ki parvah na kare magar qoonoot padhte huye oose yaad aaye keh alhamd nahin padhi to zaruri hai keh alhamd aur surah padhe aur agar ruku’ mein yaad aaye to ooski namaaz sahi hai.

Imam aur maqtadi ka shak

1179. Agar Imam jama’at namaaz ki rak’aton ki t’adaad ke baare mein shak kare, maslan yeh shak kare keh teen rak’atein padhi hain ya chaar rak’atein aur maqtadi ko yaqeen ya gumaan ho keh chaar rak’ati padhi hain aur woh yeh baat Imam jama’at ke ‘ilm mein le aaye keh chaar rak’atein padhi hain to Imam ko chahiye keh namaaz ko tamaam kare aur namaaz-e-ehteyaat ka padhna zaruri nahin aur agar Imam ko yaqeen ya gumaan ho keh kitni rak’atein padhi hain aur maqtadi namaaz ki rak’aton ki t’adaad ke baare mein shak kare to oose chahiye keh apne shak ki parvah na kare. Yahi hukm Imam aur maqtadi ke liye namaaz ke af’al ke baare mein shak maslan sajdon ki t’adaad ke shak ke baare mein hai.

Mustahab namaaz mein shak

1180. Agar koi shakhs mustahab namaaz ki rak’aton mein shak kare, agar shak ka zayada wala ‘adad jo namaz ko batil karta hao to zaruri hai keh yeh samajh le keh kam rak’atein padhi hain maslan agar subh ki naflon mein shak kare keh do rak’atein padhi hain ya teen to yahi samajhe keh do padhi hain. Agar t’adaad ki zayadati wala shak namaaz ko batil na kare maslan agar namaazi shak kare keh do rak’ati padhi hain ya ek padhi hai to shak ki jis taraf bhi amal kare oos ki namaaz sahi hai.

1181. Rukn ka kam hona nafl namaaz ko batil kar deta hai laikin rukn ka zayada hona oose batil nahin karta. Pas agar namaazi nafl ke af’al mein se koi fa’el bhool jaye aur yeh baat oose oos vaqt yaad aaye jab woh oos ke ba’d waale rukn mein masshghul ho chukka ho to zaruri hai keh

oos fa'el ko anjaam de aur dobara oos rukn ko anjaam de maslan agar ruku' ke dauraan oose yaad aaye keh surah alhamd nahin padhi to zaruri hai keh vapas laute aur alhamd padhe aur dobara ruku' mein jaye.

1182. Agar koi shakhs nafl ke af'al mein se kisi fa'el ke mut'aliq shak kare khawah woh fa'el rukni ho ya ghair rukni aur oos ka mauqa na guzara ho to zaruri hai keh oose anjaam de aur agar mauqa guzar gaya ho to apne shak ki parvah na kare.

1183. Agar kisi shakhs ko do rak'ati mustahab namaaz mein teen ya zayada rak'aton ke padh lene ka gumaan ho to chaheye keh oos gumaan ki parvah na kare aur oos ki namaaz sahi hai laikin agar oos ka gumaan do rak'aton ka ya oos se kam ka ho to ehteyaat-e-wajib ki bina par oosi gumaan par amal kare maslan agar oose gumaan ho keh ek rak'at padhi hai to zaruri hai keh ehteyaat ke taur par ek rak'at aur padhe.

1184. Agar koi shakhs nafl namaaz mein koi aisa kaam kare jis ke liye wajib namaaz mein sajda sahu wajib ho jata ho ya ek sajda bhool jaye to oos ke liye zaruri nahin keh namaaz ke ba'd sajda sahu ya sajde ki qaza baja laye.

1185. Agar koi shakhs shak kare keh mustahab namaaz padhi hai ya nahin aur oos ka koi muqarrar vaqt na ho jaise "namaaz-e-j'afar-e-tayyar" to oose samajh lena chahiye keh nahin padhi. Agar oos mustahab namaaz ka yawmiah nawafil ki tarah vaqt muqarrar ho aur oos vaqt ke guzarne se pahle shak kare keh oose anjaam diya hai ya nahin to oos ke liye bhi yahi hukm hai. Laikin agar vaqt guzarne ke ba'd shak kare keh woh namaaz padhi hai ya nahin to apne shak ki parvah na kare.

Sahi Shakuk

1186. Chand suuraton mein agar kisi ko chaar rak'ati namaaz ki rak'aton ki t'adaad ke baare mein shak ho to zaruri hai kaeh fauran ghaur kare aur agar yaqeen ya gumaan shak ki kisi ek taraf ho jaye to oosi ko ikhteyaar kare aur namaaz ko tamaam kare varna oon ehkaam ke mutabiq amal kare jo zeal mein bataye ja rahe hain.

Woh 9 suuratein yeh hain:

(1) Dusre sajde ke dauraan shak kare keh do rak'atein padhi hain ya teen. Iis suurat mein oose yuoon samajh lena chahiye keh teen rak'atein padhi hain aur ek aur rak'at padhe phir namaaz ko tamaam kare aur ehteyaat-e-wajib ki bina par namaaz ke ba'd ek rak'at ehteyaat khade ho kar baja laye. Ehteyaat-e-wajib ki bina par baithh kar do rak'at namaaz ehteyaat kafi na hogi.

(2) Dusre sajde ke dauraan shak kare keh do rak'atein padhi hain ya chaar yeh samajh lena chahiye keh chaar rak'atein padhi hain aur namaaz ko tamaam kare aur ba'd mein do rak'at namaaz-e-ehteyaat khade ho kar baja laye.

(3) Agar kisi shakhs ko dusre sajde ke dauraan shak kare keh do rak'atein padhi hain ya teen ya chaar oose yeh samjh lena chahiye keh chaar rak'atein padhi hain aur woh namaaz khatm hone ke ba'd do rak'at namaa-e-ehteyaat khade ho kar baja laye aur ba'd mein do rak'at baithh kar baja laye.

(4) Agar kisi ko dusre sajde ke dauraan shak ho keh chaar rak'atein padhi hain ya paanch to woh yeh samjhe keh chaar rak'atein padhi hain aur iis booniyaad par namaaz ko tamaam kare aur namaaz ke ba'd do sajde sahu baja laye. Yahi hukm har oos suurat mein hai jahan kam az kam shak chaar raak'at par ho. Maslan chaar aur chhe rak'aton ke dirmiyaan shak ho aur har oos suurat mein jahan chaar rak'at aur oos se kam aur oos se zayada rak'aton mein dusre sajde ke dauraan shak kare to oose chaar rak'atein qarar de kar dono shak ke a'maal anjaam de sakte hai y''ani iis ehtemaal ki bina par keh chaar rak'at se kam padhi hain, namaaz-e-ehteyaat padhe aur iis ehtemaal ki bina par keh chaar

rak'at se zayada padhi hain ba'd mein do sajda sahu bhi kare. Tamaam suuraton mein agar pahle sajde ke ba'd aur dusre sajde mein dakhil hone se pahle sapqa chaar shak mein se ek oose pesh aaye to oos ki namaaz batil hai.

(5) Namaaz ke dauraan jis vaqt bhi kisi ko teen rak'at aur chaar rak'at ke dirmiyaan shak ho zaruri hai keh yeh samjh le keh chaar rak'atein padhi hain aur namaaz ko tamaam kare aur ba'd mein ek rak'at namaaz ehteyaat khade ho kar ya do rak'at baithh kar padhe.

(6) Agar qayaam ke dauraan kisi ko chaar rak'aton aur paanch rak'aton ke baare mein shak ho jaye to zaruri hai keh baithh jaye aur tashahhud aur namaaz ka salaam padhe aur ek rak'at namaaz-e-ehteyaat khade ho kar ya do rak'at baithh kar padhe.

(7) Agar qayaam ke dauraan kisi ko teen chaar aur paanch rak'aton ke baare mein shak ho jaye to zaruri hai keh baithh jaye aur tashahhud aur namaaz ka salaam padhe aur do rak'at namaaz-e-ehteyaat khade ho kar padhe.

(8) Agar qayaam ke dauraan kisi jo chaar rak'aton aur paanch rak'aton ke baare mein shak ho jaye to zaruri hai keh baithh jaye aur tashahhud aur namaaz ka salaam padhe aur do rak'at namaaz-e-ehteyaat khade ho kar aur ba'd mein do rak'at namaaz baithh kar padhe.

(9) Agar qayaam ke dauraan kisi jo paanch rak'aton aur chhe rak'aton ke baare mein shak ho jaye to zaruri hai keh baithh jaye aur tashahhud aur namaaz ka salaam padhe aur do sajda sahu baja laye.

1187. Agar kisi shakhs ko sahi shakuk mein se koi shak ho jaye aur namaaz ka vaqt itna tang ho keh namaaz azsar nau na padh sake to zaruri hai keh namaaz na tode aur jo massla bayaan kiya gaya hai oos ke mutabiq amal kare. Laikin agar namaaz ka vaqt vase ho to namaaz tod kar naye sare se bhi padh sakta hai.

1188. Agar koi shakhs tashahhud mein masshgul hone se pahle ya oon rak'aton mein jin mein tashahhud nahin hai qayaam se pahle shak kare keh ek ya do sajde baja laya hai ya nahin aur oosi vaqt oose oon shakuk mein se koi shak lahaq ho jaye jo do sajde tamaam hone ke ba'd sahi ho to oos ki namaaz sahi hai.

1189. Agar koi shakhs qayaam ki haalat mein teen aur chaar rak'aton ke baare mein ya teen, chaar aur paanch rak'aton ke baare mein shak kare aur oose yeh bhi yaad aa jaye keh oos se pahli rak'at ka ek sajda ya dono sajde ada nahin kiye to oos ki namaaz batil hai.

1190. Agar kisi ka shak za'el ho jaye aur koi dasra shak oose lahaq ho jaye maslan pahle shak kare keh do rak'atein padhi hain ya teen rak'atein aur ba'd mein shak kare keh teen rak'atein padhi hain ya chaar rak'atein to zaruri hai keh dusre shak ke mutabiq ehkaam par amal kare.

1191. Jo shakhs namaaz ke b'asd shak kare keh namaaz ki haalat mein misaal ke taur par oos ne do aur chaar rak'aton ke baare mein shak kiya thha ya teen aur chaar rak'aton ke baare mein shak kiya thha to dono shakuk ke hukm par amal kar sakta hai aur namaaz ko batil karne waale kisi ka hukm ko anjaam de kar woh namaaz dobara bhi padh sakta hai.

1192. Agar kisi shakhs ko namaaz ke ba'd pata chale keh namaaz ki haala mein oose koi shak lahaq ho gaya thha laikin yeh na janta ho keh woh shak namaaz ko batil karne waale shakuk mein se thha ya sahi shakuk mein se thha to zaruri hai keh namaaz ko dobara padhe aur agar eyh janta ho keh shak sahi shakuk mein se thha ya sahi shakuk mein se thha to zaruri hai keh namaaz ko dobara padhe aur agar yeh janta ho keh woh shak sahi shakuk mein se thha laikin yeh na janta ho keh oos ka ta'luq sahi shakuk ki kaoon si qism se thha to oos ke liye jayez hai keh namaaz ko dobara padhe.

1193. Jo shakhs baithh kar namaaz padh raha ho agar oose aisa shak lahaq ho jaye jis ke liye oose ek rak'at namaaz-e-ehteyaat khade ho kar ya do rak'at baithh kar padhni chahiye to zaruri

hai keh ek rak'at baithh kar padhe aur agar woh aisa shak kare jis ke liye oose do rak'at namaaz-e-ehteyaat khade ho kar padhni chahiye to zaruri hai keh do rak'at baithh kar padhe.
1194. Jo shakhs khada ho kar namaaz padhta ho agar woh namaaz-e-ehteyaat padhne ke vaqt khada hone se 'ajiz ho jaye to zaruri hai keh namaaz-e-ehteyaat oos shakhs ki tarah padhe jo baithh kar namaaz padhta hai aur jis ka hukm sabqa massle mein bayaan ho chukka hai.
1195. Jo shakhs baithh kar namaaz padhta ho agar namaaz-e-ehteyaat padhne ke vaqt khada ho sake to zaruri hai keh oos shakhs ke vazife ke mutabiq amal kare jo khada hokar namaaz padhta hai.

Namaaz-e-ehteyaat padhne ka tareeqa

1202. Jis shakhs par namaaz-e-ehteyaat-e-wajib ho zaruri hai keh namaaz ke salaam ke fauran ba'd namaaz-e-ehteyaat ki niyyat kare aur takbeer kahe, phir akhamd padhe, ruku' aur do sajde baja laye. Pas agar oos par ek rak'at namaaz-e-ehteyaat-e-wajib ho to do sajdon ke ba'd tahsahhud aur salaam padhe. Agar oos par do rak'at namaaz-e-ehteyaat-e-wajib ho to do sajdon ke ba'd pahli rak'at ki tarah ek aur rak'at baja laye aur tahsahhud ke ba'd salaam padhe.
1203. Namaaz-e-ehteyaat mein surah aur qoonoot nahin hain. Zaruri hai keh oos ki niyyat zabaan par na laye aur ehteyaat-e-lazim ki bina par zaruri hai keh yeh namaaz aahestha padhe aur ehteyaat-e-mustahab yeh hai keh oos ki Bismillah bhi aahestha padhe.
1204. Agar kisi shakhs ko namaaz-e-ehteyaat padhne se pahle m'aloom ho jaye keh jo namaaz oos ne padhi thhi woh sahi thi to oos ke liye namaaz-e-ehteyaat padhna zaruri nahin aur agar namaaz-e-ehteyaat ke dauran bhi yeh 'ilm ho jaye to oos namaaz ko tamaam karna zaruri nahin.
1205. Agar namaaz-e-ehteyaat padhne se pahle kisi shakhs ko m'aloom ho jaye keh oos ne namaaz ki rak'atein kam padhi thhi aur namaaz padhne ke ba'd oos ne koi aisa kaam nahin kiya ho jo namaaz ko batil karta ho to zaruri hai keh oos ne namaaz ko jo hissa na padha ho oose padhe aur bemehal salaam ke liye ehteyaat-e-lazim ki bina par do sajda sahu baja laye aur agar oos se koi aisa fa'el sarzad hua hai jo namaaz ko batil karta ho maslan qible ki janib peethh ki ho to zaruri hai keh namaaz dobara padhe.
1206. Agar kisi shakhs ko namaaz-e-ehteyaat ke ba'd pata chale keh oos ki namaaz mein kami namaaz-e-ehteyaat ke barabar thhi maslan teen rak'aton aur chaar rak'aton ke dirmiyaan shak ki suurat mein ek rak'at namaaz-e-ehteyaat padhe aur ba'd mein pata chale keh oos ne nmaaz ki teen rak'atein padhi thhi to oos ki namaaz sahi hai.
1207. Agar kisi shakhs ko namaaz-e-ehteyaat padhne ke ba'd pata chale keh namaaz mein jo kami huyee thhi woh namaaz-e-ehteyaat se kam thhi maslan do aur chaar rak'aton ke mabeen shak ki suurat mein do rak'at namaaz-e-ehteyaat padhe aur ba'd mein m'loom ho keh oos ne namaaz ki teen rak'arein apdhi thhi to zaruri hai keh naaaz dobara padhe.
1208. Agar kisi shakhs ko namaaz-e-ehteyaat padhne ke ba'd pata chale keh namaaz mein jo kami huyee thhi woh namaaz-e-ehteyaat se zayada thhi maslan teen aur chaar rak'aton ke mabeen shak ki suurat mein ek rak'at namaaz-e-ehteyaat padhe aur ba'd mein m'loom ho keh oos ne namaaz ki do rak'arein apdhi thhi aur namaaz-e-ehteyaat ke ba'd koi aisa kaam kiye ho jo namaaz ko batil karta ho maslan qible ki janib peethh ki ho to zaruri hai keh namaaz dobara padhe aur agar koi aisa kaam na kiya ho jo namaaz ko batil karta ho to oos suurat mein bhi ehteyaat-e-lazim yeh hai keh namaaz dobara padhe aur baqi mande rak'at izaafa karne par iktefaanah kare.
1209. Agar koi shakhs do, teen aur chaar rak'aton mein shak kare aur khade ho kar do rak'at namaaz-e-ehteyaat padhne ke ba'd oose yaad aaye keh oos ne namaaz ki do rak'atein padhi thhi to oos ke liye baithh kar do rak'at namaaz-e-ehteyaat padhna zaruri nahin.

1210. Agar koi shakhs teen aur chaar rak'aton mein shak kare aur jis vaqt woh ek rak'at namaaz-e-ehteyaat khade ho kar padh raha ho oose yaad aaye keh oos ne namaz ki teen rak'atein padhi thin to zaruri hai keh namaaz-e-ehteyaat ko chhod de. Choonanche ruku' mein dakhil hone se pahle oose yaad aaya ho to ek rak'at milaakar padhe aur oos ki namaz sahi hai aur ehteyaat-e-lazim ki bina par za'ed salaam ke liye do sajde sahu baja laye aur agar ruku' mein dakhil hone ke ba'd yaad aaye to zaruri hai keh namaaz ko dobara padhe aur ehteyaat ki bina par baqi rak'at ka izaafa karne par iktefa nahin kar sakta.
1211. Agar koi shakhs do, teen aur chaar rak'aton mein shak kare aur jis vaqt woh ek rak'at namaaz-e-ehteyaat khade ho kar padh raha ho oose yaad aaye keh oos ne namaz ki teen rak'atein padhi thin to yahan bhi bilkul wahi hukm jaari hoga jis ka zikr sabqa massle mein kiya gaya hai.
1212. Agar kisi shakhs ko namaaz-e-ehteyaat ke dauraan pata chale keh oos ki namaaz mein kami namaaz-e-ehteyaat se zayada yak am thi to yahan bhi bilkul wahi hukm jaari hoga jis ka zikr massla no.1210 mein kiya gaya hai.
1213. Agar koi shakhs shak kare keh jo namaaz-e-ehteyaat oos par wajib thi woh oose baja laya hai ya nahi to namaaz ka vaqt guzar jaane ki suurat mein apne shak ki parvah na kare aur agar vaqt baqi ho to oos suurat mein jabkeh shak aur namaaz ke dirmiyaan zayada waqfa bhi na guzaara ho, woh kisi aur kaam mein masshgul bhi na ho gaya ho aur oos ne koi aisa kaam bhi na kiya ho, maslan qible se moonh modna jo namaaz ko batil karta ho to zaruri hai keh namaaz-e-ehteyaat padhe aur agar koi aisa kaam kiya ho jo namaaz ko batil karta joy a woh kisi aur kaam mein masshgul ho chuka ho ya namaaz aur oos ke shak ke dirmiyaan zayada waqfa ho gaya ho to ehteyaat-e-lazim ki bina par namaaz dobara padhna zaruri hai.
1214. Agar ek shakhs namaz e mein ek rak'at ki bajaye do rak'at padh le to namaaz-e-ehteyaat batil ho jaati hai aur zaruri hai keh dobara asal namaaz padhe aur agar woh namaaz mein koi rukn badhaa de to ehteyaat-e-lazim ki bina par oos ka bhi yahi hukm hai.
1215. Agar kisi shakhs ko namaaz-e-ehteyaat padhte huye oos namaaz ke af'al mein se kisi ke mut'aliq shak ho jaye to agar oos ka mauqa na guzara ho to oose anjaam dena zaruri hai aur agar oos ka mauqa guzar gaya ho to zaruri hai keh apne shak ki parva na kare. Maslan agar shak kare keh akhamd padhi hai ya nahin aur abhi ruku' mein na gaya ho to zaruri hai keh akhamd padhe aur agar ruku' mein ja chukka ho to zaruri hai keh apne shak ki parva na kare.
1216. Agar koi shakhs namaaz-e-ehteyaat ki rak'aton ke baare mein shak kare aur zayada rak'aton ki taraf shak karna namaaz ko batil karta ho to zaruri hai keh oos ki booniyaad zayada par rakhe. Maslan jab woh do rak'at namaaz-e-ehteyaat padh raha ho agar shak kare keh do rak'aein padhi hain ya teen to choonakeh zayadati ki taraf shak karna namaaz ko batil karte hai iis liye oose chahiye keh samjh le keh oos ne do rak'atein padhi hain aur agar shak kare keh ek rak'at padhi hai ya do rak'at padhi hai to choonakeh zayadati ki taraf shak karna namaaz ko batil nahin karta iis liye oose samjhna chahiye keh do rak'atein padhi hain.
1217. Agar namaaz-e-ehteyaat mein koi aisii cheez jo rukn na ho sahuwan kam ya zayada ho jaye to oos ke liye sajda sahu nahin hai.
1218. Agar koi shakhs namaaz-e-ehteyaat ke salaam ke ba'd shak kare keh woh oos namaaz ke ajza aur shara'et mein se koi ek juz ya shart anjaam de chukka hai ya nahin to woh apne shak ki parvah na kare.
1219. Agar koi shakhs namaaz-e-ehteyaat mein tashahhud padhna ya ek sajda karna bhool jaye aur oos tashahhud ya sajde ka apni jagah par tadarak bhi mumkin na ho to ehteyaat-e-wajib yeh hai keh salaam namaaz ke ba'd sajde ki qaza kare. Albatta tashahhud ki qaza zaruri nahin hai.
1220. Agar kisi shakhs par namaaz-e-ehteyaat aur ek sajde ki qaza ya do sajde sahu wajib hon to zaruri hai keh pahle namaaz-e-ehteyaat baja laye.

1221. Namaaz ki rak'aton ke baare mein gumaan ka hukm yaqeen ke hukm ki tarah hai. Maslan agar koi shaks yeh na janta ho keh ek rak'at padhi hai ye do rak'at padhi aur gumaan kare keh do rak'atein padhi hain to woh samjhe keh do rak'atein padhi hain aur agar chaar rak'ati namaaz mein gumaan kare keh chaar rak'atein padhi hain to oose namaaz-e-ehteyaat padhne ki zarurat nahin hai. Laikin af'al ke baare mein gumaan karna shak ka hukm rakhte hai. Pas agar woh gumaan kare keh ruku' kiya hai aur abhi sajde mein dakhil na hua ho to zaruri hai keh ruku' ko anjaam de aur agar woh gumaan kare keh alhamd nahin padhi aur surah mein dakhil ho chukka ho to gumaan ki parvah na kare aur oos ki namaaz sahi hai.

1222. Rozana ki wajib namaazon aur dusri wajib namaazon ke baare mein shak, sahu aur gumaan ke hukm mein koi farq nahin hai. Maslan agar kisi shakhs ko namaaz aayaat ke dauraan shak ho keh ek rak'at padhi hai ya do rak'atein to choonakeh oos ka shak do rak'ati namaaz mein hai lehaza oos ki namaaz batil hai aur agar woh gumaan kare keh yeh dusri rak'at hai ya pahli rak'at to apne gumaan ke mutabiq namaaz ko tamaam kare.

Sajda Sahu

1223. Zaruri hai keh insaan salaam namaaz ke ba'd do cheezon ke liye is tariqe ke mutabiq jis ka aaenda zikr hoga do sajda sahu baja laye.

(1) Tashahhud bhool jaana.

(2) Chaar rak'ati namaaz mein dusre sajde ke dauran shak karna keh chaar rak'ati padhi hain ya paanch, ya hak kare keh chaar rak'ati padhi hain ya chhe, bilkul oosi tarah jaisa keh sahi shakuk ke no.4 mein guzar chuka hai.

Aur teen suuraton mein ehteyaat-e-wajib ki bina par zaruri hai do sajda sahu baja laye:

(1) Namaaz ke ba'd ajmali taur par m'aloom ho jaye keh koii cheez kam ya zayada ho gayee hai jabkeh namaaz par sahi hone ka hukm ho.

(2) Namaaz ki haalat mein bhoole se koi baat karna.

(3) Jahan salaam na padhna zaruri ho maslan pahli rak'at, wahan bhoole se salaam padh lena.

Ehteyaat-e-mustahab yeh hai keh agar ek sajda bhool jaye ya jahan khada hona zaruri ho, maslan alhamd aur surah padhte vaqt wahan ghalti se baith jaye ya jahan baithna zaruri ho, maslan tashahhud padhte vaqt ghalti se khada ho jaye ya do sajda sahu ada kare balkeh har oos cheez ke liye jo ghalti se namaaz mein kam ya zayada ho jaye do sajda sahu kare. Iin chand suuraton ke ehkaam a'enda massa'el mein bayaan honge.

1224. Agar insaan ghalti se ya iis khayaal se keh woh namaaz padh chuka hai kalaam kare to ehteyaat ki bina par zaruri hai keh do sajda sahu kare.

1225. Oos awaaz ke liye jo khansne se paida hoti hai sajda sahu wajib nahin laikin agar koi ghalti se nala wa buka kare ya aah bhare ya aah kahe to zaruri hai keh ehteyaat ki bina par sajda sahu kare.

1226. Agar koi shakhs ek aisii cheez ko jo oos ne bhoole se ghalt padhi ho dobara sahi taur par padhe to oos ke dobara padhne par sajda sahu wajib nahin hai.

1227. Agar koi shakhs namaaz mein ghalti se kuchh dair batrin karta rahe aur woh mukammil guftagu ek ghalti ki booniyeed par ho to oos ke liye namaaz ke salaam ke ba'd do sajda sahu kafi hain.

1228. Agar koi shakhs ghalti se tasbeehaat arbi'a na padhe to ehteyaat-e-mustahab hai keh namaaz ke ba'd woh sajda sahu baja laye.

1229. Jahan namaaz ka salaam nahin kahna chahiye agar koi shkahs ghalti se Assalaamo 'alaina wa 'ala 'ebadillaheis saleheen kah de ya As salaamo a'laikum kahe to agarche oos new a rehmatullahe wa barkatohu na kaha ho tab bhi ehteyaat-e-lazim ki bina par zaruri hai keh do sajda sahu kare. Laikin ghalti se As salaamo a'laika ayyohan nabbiyo wa rehmatullahe wa barkatohu kahe to ehteyaat-e-mustahab yeh hai keh do sajda sahu baja laye. Laikin ghalti se salaam ke do ya zayada haruf zabaan se ada kare to ehteyaat-e-wajib yeh hai keh do sajda sahu ada kare.

1230. Jahan salaam nahin padhna chahiye agar koi shakhs wahan ghalti se teeno salaam padh le to oos ke liye do sajda sahu kafi hai.

1231. Agar koi shakhs ek sajda ya tashahhud bhool jaye aur ba'd ki rak'at ke ruku' se pahle oose yaad aaye to zaruri hai keh palte aur namaaz ke ba'd ehteyaat-e-mustahab ki bina beja qayaam ke liye do sajda sahu kare.

1232. Agar koi shakhs ko ruku' mein ya oos ke ba'd yaad aaye keh woh oos se pahli rak'at mein ek sajda ya tahsahhu bhool gaya hai to zaruri hai keh salaam namaaz ke ba'd ki qaza kare aur tashahhud ke liye do sajda sahu kare.

1233. Agar koi shakhs namaaz ke salaam ke ba'd jaan bhoojh kar sajda sahu na kare tp oos ne goonaah kiya hai aur ehteyaat-wajib ki bina par zaruri hai keh jis qadr jaldi ho sake oose ada kare aur agar oos ne bhool kar sajda sahu nahin kiya ho to jis vaqt bhi oose yaad aaye zaruri hai keh fauran sajda kare aur oos ke liye namaaz ka dobara padhna zaruri nahin.

1234. Agar koi shakhs shak kare keh maslan oos par do sajda sahu wajib huye hain ya nahin to iin ka baja lana oos ke liye zaruri nahin.

1235. Agar koi shakhs shak kare keh maslan oos par do sajda sahu wajib huye hain ya chaar to oos ka do sajde ada karna kaafi hai.

1236. Agar koi shakhs ko 'ilm ho keh do sajda sahu mein se ek sajda sahu nahin baja laya aur zayada faasla ho jane ki wajah se oos ka tadarak bhi mumkin na ho to zaruri hai keh do sajda sahu baja laye aur agar oose 'ilm ho keh oos ne sahuwan teen sajde kiye hain to zaruri hai keh dobara sajda sahu baja laye.

Sajda Sahu Ka Tariqa

1237. Sajde sahu ka tariqa yeh hai keh salaam namaaz ke ba'd insaan fauran sajda sahu ki niyat kare aur ehteyaat-e-lazim ki bina par peshaani kisi aisi jagah par rakh de jis par sajda karna sahi ho aur ehteyaat yeh hai keh sajda sahu mein zikr pardhe aur behtar hai keh " Bismillah he wa billah he assalaamo aleka aiyiohan nabio wa rehmatullahe wa barkatohu" is ke ba'd oose chahiye keh bhaith jaye aur dobaarah sajde mein jaye aur mazkoora zikr padhe aur bhaithh jaye aur tashahhud ke ba'd kahe " Assalaamo alekam" aur ulaa yeh kahe " wa rehmatullahe wa barkaatohu" ka izaafa kare.

Bhoole huye sajde aur tashahhud ki qaza

1238. Agar insaan sajda karna aur tashahhud bhool jaye aur namaaz ke ba'd in ki qaza bajaa laye to zaruri hai keh woh namaaz ki tamaam sharaaet massalan badan aur lebaas ka paak hona aur ruh baqiblaah hona aur digar sharaaet poori karta ho.

1239. Agar insaan kayee daf'a wazu karma bhool jaye maslan ek sajda pahli rak'at mein aur ek sajda dusri rak'at mein bhool jaye to zaruri hai keh ba'd mein dono sajdon ki qaza baja laye aur ehteyaat-e-mustahab yeh hai keh bhooli huyee har cheez ke liye ehteyaatan do sajda sahu kare.

1240. Agar insaan ek sajda aur ek tashahhud bhool jaye to ehteyaatan har ek ke liye do sajda sahu baja laye. Zaruri hai keh bhoole huye tashaddas ke liye do sajda sahu baja laye. Laikin bhoole huye sajde ke liye sajda sahu anjaam denaa zaruri nahin. Han! behtar hai.

1241. Agar insaan do rak'aton mein se do sajde bhool jaye to oos ke liye zaruri nahin hai keh qaza karte vaqt tarteeb se baja laye.
1242. Agar insaan namaaz ke salaam aur sajde ki qaza ke darmiyaan koi aisaa kaam kare jis ke amdan ya sahwan karne se namaaz batil ho jaati hai. Maslan peethh qible ki taraf kare to ehteyaat-e-mustahab hai keh sajde ki qaza ke ba'd dobara namaaz padhe.
1243. Agar kisi shakhs ko namaaz ke salaam ke ba'd yaad aaye keh aakhari rak'at ka ek sajda bhool gayaa ho aur namaaz todhne walaa koi kaam maslan hadas, oos se sarzad na hua ho to zaruri hai keh sajda aur is ke ba'd ki cheezein y'ani tashahhud aur salaam anjaam de aur ehteyaat-e-wajib ki bina par bemahel salaam ke liye do sajde sahu kare.
1244. Agar ek shakhs namaaz ke salaam aur sajde ki qaza ke darmiyaan koi aisaa kaam kare jis ke liye sajda sahu wajib ho jata hai maslan bhoole se kalaam kare to ehteyaat-e-wajib ki bina par zaruri hai keh pahle sajde ki qaza kare aur ba'd mein do sajda sahu kare.
1245. Agar kisi shakhs ko yeh 'ilm na ho keh namaaz mein sajda bhoola hai ya tashahhud to zaruri hai keh sajde ki qaza kare aur do sajda sahu adaa kare aur ehteyaat-e-mustahab yeh hai keh tashahhud ki bhi qaza kare.
1246. Agar kisi shakhs ko shak ho keh sajda ya tashahhud bhoola hai ya nahi to oos ke liye in ki qaza karna ya sajda sahu adaa karma wajib nahin hai.
1247. Agar kisi shakhs ko 'ilm ho keh sajda bhool gaya hai aur shak kare keh ba'd ki rak'at ke ruku se pahle oose yaad aaya tha aur oose baja layaa tha ya nahin to ehteyaat-e-mustahab yeh hai keh oos ki qaza kare.
1248. Jis shakhs par sajde ki qaza zaruri ho, agar kisi dusre kam ki wajah se oos par sajda sahu wajib ho jaye to zaruri hai keh ehteyaat ki bina par namaaz adaa karne ke ba'd pahle sajde ki qaza kare aur is ke ba'd sajda sahu kare.
1249. Agar kisi shakhs ko shak ho keh namaaz padhne ke ba'd bhule huye sajde ki qaza baja laye ya nahin aur namaaz ka vaqt na guzraa ho to zaruri hai keh sajde ki qaza kare balkeh agar namaaz ka vaqt guzar bhi gaya ho to ehteyaat-e-wajib ki bina par oos ki qaza karna zaruri hai.aa

Namaaz ke ajzaa aur shara'et ko kam ya zayada karna

1250. Jab namaaz ke wajibaat mein se koi cheez jaan bhoojhh kar kam ya zayada ki jaye to khawah ek haraf hi kyoon na ho namaaz batil hai.
1251. Agar koi shakhs massla na janne ki wajah se namaaz ke wajibaat arkaan mein se koi ek km kar de to namaaz batil hai. Han jahil qasar y'ani woh shakhs jis ne kisi qaabil aitmaad shakhs ki baat ya kisi mo'atbar rasaale ki tahreer par bharosaa kiya ho aur ba'd mein m'aloom hua ho keh oos shakhs ya rsaale se galti huyee thi, agar kisi ghair wajib ko kam kare to namaaz batil nahin hoti. Choonanche agar masslah na janne ki wajah se agarche kotaahi ki wajah se ho subah aur maghrib aur Isha ki namaazon mein alhamd aur surah a'eshtaa apdhe ya zohar aur asr ki namazzon mein alhamd aur surah aawaz se padhe ya safar mein zohar, asr, aur Isha ki namaazon ki chaar rak'ateion padhe to oos ki namaaz sahi hai.
1252. Agar namaaz ke dauraan ya is ke ba'd kisi shakhs ko m'aloom ho jaye keh oos ka wazu ya ghoosl batil tha ya wazu ya ghoosl kiye baghair namaaz padhne lagaa hai to zaruri hai keh namaaz todh de aur dobaara wazu ya ghoosl ke saath padhe aur agar namaaz ka vaqt guzar gaya ho to oos ki qaza kare.
1253. Agar kisi shakhs ko ruku mein pohoonchne ke ba'd yaad aaye keh pahle waali rak'at ke do sajde bhool gaya hai to oos ki namaaz-e-ehteyaathteyaat ki binaa par batil hai aur agar yeh baat oose ruku mein pohoonchne se pahle yaad aaye to zaruri hai keh wapas mudhe aur do sajde baja laye aur phir khadhe ho jaye aur alhamd aur surah ya tasbeehaat padhe aur namaaz ko

tamaam kare aur namaaz ke ba'd ehteyaat-e-mustahab ki bina pr bemahal qayaam ke liye do sajda sahu kare.

1254. Agar kisi shakhs ko Assalaamo alekam alaina aur Assalaamo alekam kahne se pahle yaad aaye keh woh aakhari raka't ke do sajde baja nahin laya hai to zaruri hai keh do sajde baja laye aur dobaara tashahhud aur salaam padhe.

1255. Agar kisi shakhs ko namaaz ke salaam se pahle yaad aaye keh oos ne namaaz ke aakhari hisse ki ek ya ek se zayaada rak'atein nahin padhin to zaruri hai keh jitnaa hissa bhool gaya go oose baja laye.

1256. Agar kisi shakhs ko namaaz ke salaam ke ba'd yaad aaye keh oos ne namaaz ke aakhari hisse ki ek ya ek se zayaada rak'atein nahin padhin hain aur oos se aisaa kam bhio sarzad ho chukaa hai keh agar woh namaaz mein amadan ya sahuwan kiya jaye to namaaz ko batil kar detaa hai, maslan oos ne qible ki taraf peethh ki ho to oos ki namaaz batil hai aur agar oos ne koi aisaa kam na kiya ho jis ka amadan ya sahuwan karna namaaz ko batil kartaa ho to zaruri hai keh jitnaa hissa padhna bhool gaya ho oose fauran baja laye aur za'ed salaam ke liye ehteyaat-e-laazim ki bina par do sajde sahu kare.

1257. Jab koi shakhs namaaz ke salaam ke ba'd ek aisaa kam anjaam de jo agar namaaz ke dauraan amadan ya sahuwan kiya jaye to namaaz ko batil kar detaa ho, maslan peethh qible ki taraf kare aur ba'd mein oose yaad aaye keh woh aakhari sajde baja nahin laya hai to oos ki namaaz batil hai aur agar namaaz ko batil karne walaa koi kaam karne se pahle oose yeh baat yaad aaye to zaruri hai keh jo do sajde adaa karna bhool gaya hai oonhein baja laye aur dobaara tashahhud aur salaam padhe aur dobaara padh chukaa ho oos ke liye ehteyaat-e-wajib ki bina par do sajda sahu kare.

1258. Agar kisi shakhs ko pataa chale keh oos ne namaaz vaqt se pahle padh li hai to zaruri hai keh dobaara padhe aur agar vaqt guzar gayaa ho to qaza kare. Agar yeh pataa chale qible ki taraf peethh kar ke padhi hai ya 90 digree ya oos se zayaada hat kar padhi hai aur abhi vaqt na guzara ho to zaruri hai keh dobaara apdhe aur agar vaqt guzar chukaa ho aur tarud ka shakaar ho ya hukm se la'ilmi ho to qaza zaruri hai varna qaza zaruri nahin. Agar pataa chale keh 90 digree se kam hat kar namaaz padhi hai aur qible ki simat tabdeel karne kaa oos ke paas koi m'aqul azar na ho, maslan qible ki simat talaash karne mein ya masslah m'aloom karne mein kotaahi ki ho to ehteyaat ki bina par dobaara namaaz padhnaa zaruri hai. Chahe vaqt baaqi ho ya guzar chukaa ho. Han agar oos ke paas m'aqul Azar maujood ho to namaaz ko dohraanaa zaruri nahin.

Musaafir ki namaaz

Zaruri hai keh musaafir zohur, Asr aur 'isha ki namaaz aathth shartein hote huye qasr baja laye y'ani do rak'at padhe.

(Pahli shart) oos kaa safar aathth shar'ee farsakh (taqriban 44 kilometer) se kam na ho.

1259. Jis shakhs ke jaane aur waapas aane ki majmu'ee massaafat milaakar aathth farsakh ho aur khawah oos ke jaane ki ya wapsi ki massaafat chaar farsakh se kam ho ya na ho to zaruri hai keh namaaz qasr kar ke padhe. Lehaza agar jaane ki massaafat teen farsakh aur vapasi ki paanch farsakh ya is ke bar aks ho to zaruri hai keh namaaz qasr y'ani do rak'atein padhe.

1260. Agar safar par jaane aur waapas aane ki massaafat aathth farsakh ho to agarche jis din woh gayaa ho oosi din ya oosi raat ko waapas palat kar na aaye, zaruri hai keh namaaz qasr kar ke padhe laikin is suurat mein behtar hai keh ehteyaatan puri namaaz bhi padhe.

1261. Agar ek mukhtasar safar aathth farsakh se kam ho ya insaan ko 'ilm na ho keh oos ka safar aathth farsakh hai ya nahin to oose namaaz qasr kar ke nahin padhni chahi'e aur agar shak

kare keh oos kaa safar aathth farsakh hai ya nahin to oos ke liye tahqeeq karna zaruri nahin aur zaruri hai keh puri namaaz padhe.
1262. Agar ek 'adil ya qaabil a'itmaad shakhs kisi ko bata'e keh oos ka safar aathth farsakh hai aur woh oos ki baat se mutma'een ho to zaruri hai keh namaaz qasr kar ke padhe.
1263. Aisa shakhs jise yaqeen ho keh oos ka safar aathth farsakh hai agar namaaz qasr kar ke padhe aur ba'd mein oose pataa chale keh aathth farsakh na tha to zaruri hai keh puri namaaz padhe aur agar vaqt guzar gayaa ho to oos ki qaza baja laye.
1264. Jis shakhs ko yaqeen ho keh jis jagah woh janaa chahta hai wohan kaa safar aathth farsakh ka nahin hai ya shak ho keh aathth farsakh hai ya nahin aur easte mein oose m'aloom ho jaye keh oos kaa safar aathth farsakh tha to thodha sa safar baaqi ho, zaruri hai keh namaaz qasr kar ke padhe aur agar puri namaaz padh chukaa ho to zaruri hai keh dobaara qasr padhe. Laikin agar vaqt guzar gaya ho to qaza zaruri nahin hai.
1265. Agar do jagahon ka darmiyaani faasla chaar farsakh se kam ho aur koi shakhs kaee daf'a in ke darmiyaan jaye aaye to khawah in tamaam massaafaton ka faasla milaakar aathth farsakh bhi ho jaye to oose namazz poori padhni zaruri hai.
1266. Agar kisi jagah jaane ke do raaste hon aur oon mein se ek raasta aathth farsakh se kam aur dusra aathth farsakh yaa oos se zayaada ho to agar insaan wahan oos raaste se jaye jo aathth farsakh hai to zaruri hai keh namaaz qasr kar ke padhe aur agar oos raaste se jaye jo aathth farsakh se kam hai to zaruri hai keh poori namaaz padhe.
1267. AAthth farsakh ki ibtedaa oos jagah se hisaab karna zaruri hai jahan se guzar jaane ke ba'd aadmi musaafir shumaar hotaa hai aur ghaleban woh jagah shahr ki intehaa hoti hai. Laikin b'az bohut badhe shahron mein mumkin hai woh shahr kaa aakhari mohalla ho jab keh safar ki intehaa aakhari maqaam samjhaa jayegaa jahan tak insaan ko jana hai.

(Dusri shart) Musaafir apne safar ki ibtedaa se hi aathth farsakh karne ka iraada rakhtaa ho y'ani yeh jaantaa ho keh aathth farsakh tak kaa faasla tay karega, lehaaza agar woh oos jagah tak kaa safar kare jo aathth farsakh se kam ho aur wohan pohoonchne ke ba'd kisi aisee jagah jaane kaa iraada kare jis ka faasla tay karda faasle se milaakar aathth farsakh ho jaataa hai to choona keh woh shuroo se aathth farsakh tay karne ka iraada nahin rakhtaa tha is liye zaruri hai keh poori namaaz padhe. Laikin agar woh wahan se aathth farsakh aage jaane kaa iraada kare yaa itnaa faasla tay karne ka iraada kare jo vapasi milaakar aathth farsakh ban jaataa hai to zaruri hai keh namaaz qasr padhe.

1268. Jis shakhs ko yeh m'aloom ho keh oos kaa safar kitne farsakh ka hai, maslan kisi gooshudaa (shakhs ya cheez) ko dhoondne ke liye safar kar rahaa ho aur naa jaantaa ho keh oose paa lene ke liye oose kahaan tak jana padhegaa to zaruri hai keh poori namaaz padhe. Laikin agar vapasi par oos ke watan ya oos jagah tak kaa faasla jahaan woh das din qayaam karna chahta ho aathth farsakh ya oos se zayaada bantaa ho to zaruri hai keh namaaz qasr kar ke padhe. Mazeed baraan woh agar safar ke darmiyaan iraada kar le keh woh itnee massaafat tay karega jo vapasi milaakar aathth farsakh ban jaayegi to zaruri hai keh namaaz qasr kar ke padhe.
1269. Musaafir ko namaaz qasr kar ke is suurat mein padhni zaruri hai keh jab oos kaa aathth farsakh tay karne kaa pukhtaa iraada ho, lehaaza agar koi shakhs shahr se baahar jaa rahaa ho aur misaal ke taur par oos ka iraada ho keh agar koi saathi mil gayaa ho to aathth farsakh ke safar par chalaa jaaoongaa aur oose itminaan ho keh saathi mil jayegaa to oose namaaz qasr kar ke padhni zaruri hai aur agar oose is baare mein itminaan na ho to zaruri hai keh poori namaaz padhe.
1270. Jo shakhs aathth farsakh safar karne ka iraada rakhtaa ho woh agarche har roz thodha saa faasla tay kare, jab had tarkhas- jis ke m'ani massle 1305 mein aayenge- tk pohoonch jaye to

zaruri hai keh namaaz qasr kar ke padhe laikin agar har roz bohut kam faasla tay kare to ehteyaat yeh hai keh apni namaaz poori bhi padhe aur qasr bhi padhe.

1271. Jo shakhs safar mein kisi dusre ke ikhteyaar mein ho, maslan biwi bachche ynaukar yaa qaidi agar oose 'ilm ho keh oos ka safar aathth farsakh ka hai to zaruri hai keh namaaz qasr kar ke padhe aur agar oose 'ilm naa ho to poori namaaz padhe aur is baare mein puchchnaa zaruri nahin, agarche behtar hai.

1272. Jo shakhs safar mein kisi dusre ke ikhteyaar mein ho agar woh jaantaa ho yaa gumaan rakhtaa ho keh chaar farsakh tak pohoonchne se pahle oos se judaa ho jayegaa aur safar nahin karega to zaruri hai keh poori namaaz padhe.

1273. Jo shakhs safar mein kisi dusre ke ikhteyaar mein ho agar oose itminaan naa ho chaar farsakh tak pohoonchne se pahle oos se judaa ho jayegaa aur safar jaari nahin rakhegaa to zaruri hai keh poori namaaz padhe laikin agar oose itminaan ho to zaruri hai keh namaaz qasr kar ke padhe.

(Teesri shart) Raste mein musaafir apne iraade se phir naa jaye. Pas agar woh chaar farsakh tak pohoonchne se pahle apna iraada badal de ya oos kaa iraada mutazalzal ho jaye aur tay shudaa faasla. Wapsi ka faasla milaakar aathth farsakh se kam ho to zaruri hai keh poori namaaz apdhe.

1274. Agar koi shakhs kuchh faasle tay karne ke ba'd jo keh wapsi ke safar ko milaakar aathth farsakh ho safar tark kar de aur pukhtaa iraada kar le keh isi jagah rahegaa to zaruri hai keh poori namaaz padhe.

1275. Agar koi shakhs kuchch faasla tay karne ke ba'd jo keh vapasi ke safar ko milaakar aathth farsakh ho safar tark kar de aur vapasi jaane kaa pukhtaa iraada kar le to zaruri hai keh namaaz qasr kar ke padhe. Agarche woh oos jagah das din se kam muddat ke liye hi rahna chahta ho.

1276. Agar koi shakhs kisi aisi jagah jaane ke liye jo aathth farsakh door ho safar shuroo kare aur kuchh raasta tay karne ke ba'd kisi aur jagah jana chahe aur jis jagah se oos ne safar shuroo kiyaa hai wahan se oos jagah tak jahaan woh ab jana chahta hai aathth farsakh bante hon to zaruri hai keh namaaz qasr kar ke padhe.

1277. Agar koi aathth farsakh tak faasla tay karne se pahle mutaraddud ho jaye keh baaqi raasta tay akre ya nahin aur dauraan taraddud safar na kare aur ba'd mein baaqi raasta tay akrne kaa pukhtaa iraada kar le to zaruri hai keh safar ke khaatme par namaaz qasr padhe.

1278. Agar koi shakhs aathth farsakh ka faasla tay karne se pahle taraddud ka shikaar ho jaye jo keh baaqi raasta tay kare ya nahin aur haalat taraddud mein kuchch faasla tay kar le aur ba'd mein pukhtaa iraada kar le keh aahth farsakh mazeed safar karega ya aisi jagah jaye keh jaahan tak oos ka jana aur aanaa aathth farsakh ho jayega to zaruri hai keh safar ke khaatme tak namaaz qasr padhe.

1279. Agar koi shakhs aathth farsakh ka faasla tay karne se pahle mataraddud ho jaye keh baaqi raasta tay kare ya nahin aur haalat taraddud mein kuchch faasla tay kar le aur ba'd mein pukhtaa iraada kar le keh baaqi raasta bhi tay karega, choonanche tarradud ke 'alam mein tay shudaa t'adaad ko nikaal kar baaqi aane ka kul faasla aathth farsakh bantaa ho to zaruri hai keh namaaz qasr padhe aur agar aathth farsakh bantaa ho to zaruri hai keh poori namaaz padhe.

(Chawthi shart) Musaafir aathth farsakh tak pohoonchne se pahle apne watan se guzarne aur wahan tauquf karne ya kisi jagah das din ya oos se zayaada din rhane ka iraada na rakhtaa ho. Pas jo shakhs yeh chahta ho keh aathth farsakh tak pohoonchne se pahle apne watan se guzre aur wahan tauquf kare ya das sin kisi jagah par rahe to zaruri hai keh namaaz poori padhe. Han! agar apne watan se tauquf kiye baghair guzarne ka iraada rakhtaa ho to zaruri hai keh ehteyaatan namaaz qasr bhi padhe aur poori bhi padhe.

1280. Jis shakhs ko yeh ‘ilm na ho keh aathth farsakh tak pohoonchne se pahle apne watan se guzaregaa ya nahin ya kisi jagah das din thharne ka qasd karega ya nahin to zaruri hai keh poori namaaz padhe.
1281. Woh shakhs jo aathth farsakh tak pohoonchne se pahle apne watan se guzarnaa aur wahan tauquf karna chahta ho ya kisi jagah das din rahna chahta ho aur woh shakhs bhi jo watan se guzarne ya kisi jagah das din rahne ke baare mein mataraddud ho, agar woh das din kahin rahne ya watan se guzarne ka iraada tark bhi kar de tab bhi zaruri hai keh poori namaaz padhe.

(Paanchwi shart) Musaafir haraam kaam ke liye safar na kare aur agar haraam kaam maslan chori karne ke liye safar kare to zaruri hai keh namaaz poori padhe. Agar khud safar hi haraam ho maslan oos safar mein oos ke liye koi aisaa zarrur mazummar ho jo khoon ya kisi ‘azu ke naaqis hone ka b’aes ho ya aurat shauhar ki ijaazat ke baghair aise safar par jaye jo oos par waajib na ho to oos ke liye bhi yahi hukm hai. Laikin agar haj ke safar ki tarah wajib ho to namaaz qasr kar ke padhni zaruri hai.

1282. Jo safar wajib na ho agar maa baap ki aulaad se mohabbat ki wajah se oon ke liye aziat ka ba’es ho to haraam hai aur zaruri hai keh insaan is safar mein poori namaaz padhe aur (ramadhaan ka mahinaa ho to) roza bhi rakhe.
1283. Jis shakhs ka safar haraam na ho aur woh kisi haraam kaam ke liye bhi safar na kar rahaa ho, woh agarche safar mein goonaah bhi kare, maslan gibat kare ya sharaab piye tab bhi zaruri hai keh namaaz qasr kar ke padhe.
1284. Agar koi shakhs kisi wajib kaam ko tark karne ke liye safar kare to khawah safar mein oos ki koi dusri garz ho ya naa ho zaruri hai keh poori namaaz padhe. Pas jo shakhs maqroodh ho aur apna qarz chukaa saktaa ho aur qarz khawah mutaalba bhi kare to agar woh safar karte huye apna qarz ada naa kar sake aur qarz chukaane se faraar haasil karne ke liye safar kare to zaruri hai keh poori namaaz padhe laikin agar oos ka safar kisi aur kaam ke liye ho to agarche woh safar mein tark waajib ka martakab bhi ho to zaruri hai keh namaaz qasr kar ke padhe.
1285. Agar kisi ka safar mein sawaari ka jaanwar ya sawaari ki koi aur cheez jis par woh sawaar ho ghasbi ho aur maalik se faraar hone ke liye safar kar raha ho yaw ah ghasbi zameen par safar kr raha ho to zaruri hai keh poori namaaz padhe.
1286. Jo shakhs kisi zaalim ke saath safar kar raha ho agar woh majboor na ho aur oos ka safar karna zaalim ke zulm karne mein madad ka maujib ho to oose poori namaaz padhni zaruri hai aur agar majboor ho ya misaal ke taur par kisi mazloom ko chhudhane ke liye oos zaalim ke saath safar kare to oos ki namaaz qasr hogi.
1287. Agar koi shakhs sair wa tafreeh ke gharz se safar kare to oos ka safar haraam nahin hai aur zaruri hai keh namaaz qasr kar ke padhe.
1288. Agar koi shakhs mauj mele aur sair wa tafreeh ke liye shikaar ko jaye to agarche ooska jana haraam nahin hai laikin ooski namaaz jaate vaqt poori hai aur vapasi par agar msaafat ki had poori ho to qasr hai. Is suurat mein keh oos ki had massafat poori ho aur shikaar par jaane ki maanand na ho lehaaza agar hasool m’aash ke liye shikaar ko jaye to ooski namaaz qasr hai aur agar kama’ee aur afz’aees ke liye jaye to oos ke liye bhi yahi hukm hai. Agarche is suurat mein ehteyaat-e-mustahab yeh hai keh namaaz qasr kar ke bhi padhe aur poori bhi padhe.
1289. Agar koi shakhs goonaah ka kaam karne ke liye safar kare aur safar se vapasi ke vaqt faqat oos kaa vapasi ka safar aathth farsakh ho to zaruri hai keh namaaz qasr padhe aur ehteyaat-e-mustahab hai keh agar oos ne taubaa naa ki ho to namaaz qasr kar ke bhi padhe aur poori bhi padhe.

1290. Jis shakhs ka safar goonaah ka safar ho agar woh safar ke dauraan goonaah ka iraada tark kar de to khawah baaqi maandah massaafat ya kisi jagah jana aur vapasi aanaa aathth farsakh ho ya na ho zaruri hai keh namaaz qasr kar ke padhe.

1291. Jis shakhs ne goonaah karne ki gharz se safar na kiya ho agar woh raaste mein tay kare keh baqiya raasta goonaah ke liye karega to zaruri hai keh namaaz poori padhe. Albatta oos ne jo namaazein qasr karke padhi hon woh sahi hain.

> (Chhati shart) Oon logon mein se naa hon jin ke qayaam ki koi (mustaqil) jagah nahin hoti aur oon ke ghar oon ke saath hote hain. Y'ani oon sahraa nshanino (khaana badhoson) ki manid jo biyabaano mein ghumte rahte hain aur jahaan kahin apne aur apne mawaishion ke liye daana paani dekhte hain wahin deraa daal dete hain aur phir kuchh dino ke ba'd dusri jagah chale jaate hain. Pas zaruri hai keh aise log aise safar mein poori namaaz padhein.

1292. Agar koi sahra nashsino maslan jaaye qayaam aur apne haiwaanaat ke liye chaaragah talaash karne ke liye safar kare aur maal wa asbaab is tarah ke humraah ho keh kahaa ja skae keh oos kaa ghar oos ke humraah hai to woh poori namaaz padhe, varna agar oos kaa safar aathth farsakh ho to namaaz qasr kar ke padhe.

1293. Agar koi sahra nashin maslan haj, ziyaarat, tijaarat yaa in se milte julte kisi maqsad se safar kare to agar na kahaa jaa sake keh oos kaa ghar oos ke saath nahin hai to zaruri hai keh namaaz qasr padhe aur agar yeh kahaa jaa sake to zaruri hai keh namaaz poori padhe.

(Shaatwein shart) Woh shakhs "kasheerul safar" na ho. Pas woh shakhs jis ka peshaa safar se hi waabasta hai jaise driver, malaah, galahbaan aur daakia aur woh shakhs jo zayaada safar kartaa ho chaahe oos ka peshaa safar se waabasta na ho jaise woh shakha jo hafte mein teen din safar mein guzaarta ho, chaahe oos ka safar tafreeh ya syaahat ke liye ho, aise afraad ke liye zaruri hai keh apni namaazein poori padhein

1294. Jis shakhs ka peshaa safar mein ho agar woh kisi dusre maqsad maslan haj ya ziyaarat ke liye safar kare to zaruri hai keh namaaz qasr kar ke padhe laikin agar arf aam mein kasheerul safar kahlaata ho masshal woh shakhs jo hameshaa hafte mein teen din safar mein rahtaa ho to qasr na kare, laikin agar misaal ke taur pr driver apni ghaadhee ziyaarat ke liye kiraaye par chalaaye aur zaman khud bhi ziyaarat kare to har haal mein zaruri hai keh poori namaaz padhe.

1295. Woh qafilaa salaar jo haajion ko make pohoonchaane ke liye safar kartaa ho agar oos ka peshaa karna ho to zaruri hai keh poori namaaz padhe aur agar oos kaa peshaa safar karna na ho aur sirf hajj ke dino mein qaafila le jaane ke liye safar kare to agar oos ke safar ki muddat kam ho maslan do teen hafte ho to namaaz qasr padhe jabkeh agar oos ke safar ki muddat tulaani ho jaise teen maah to namaaz tamaam padhe aur agar shak kare keh oose " kaseerul safar" kahaa jaaye ya nahin to ehteyaat karte huye qasr bhi padhe aur poori bhi.

1296. Driver ya is jaisa kisi aur peshe ka peshaawar kahlaane ke liye zaruri hai keh driving jaari rakkhne kaa iraada ho aur darmiyaan mein aaraam ka waqfaa m'amul ke mutaabiq driveron ke aaraam ke waqfe se zayaada na ho, lehaaza agar koi shakhs maslan hafte kam az kam teen din yaa har mahine das din safar mein rahtaa ho aur kam az kam ek saal mein chhe maah ya do ya do se zayaada saalon mein teen maah isi kaifiyat mein rahne kaa iraada ho (albatta pahle mahine mein zaruri hai keh ehteyaat karte huye dono zimmedaarion ko adaa kare). Aisaa shakhs kaseerul safar nahin hai jo har hafte ek din safar mein rahtaa ho. Albatta jo sakhas har hafte do din safar mein rahtaa ho to ehteyaat waajib yeh hai keh qasr bhi padhe aur poori bhi padhe.

1297. Jis shakhs ka peshaa saal ke kuchh hisse mein safar karta ho maslan ek driver jo sirf garmion ya sardion ke dino mein apni ghaadhee chalaata ho to zaruri hai keh safar mein namaaz pori padhe aur ehteyaat-e-mustahab yeh hai keh qasr kar ke bhi padhe aur poori bhi padhe.

1298. Driver ya pheriwala jo shahr ke aas paas do teen farsakh mein aataa jata hai agar woh ittefaqan aathth farsakh ke safar par chalaa jaaye to zaruri hai keh namaaz qasr padhe.
1299. Jis ka peshaa hi musaferat hai agar das din ya oos se zayaada arse apne watan rah jaaye to khawah woh ibtedaa se das din ehne ka iraada rakhtaa ho ya baghair iraade ke itne din rahe to zaruri hai keh das din ke ba'd jab pahle safar par jaaye to namaaz poori padhe aur agar apne watan ke a'lawa kisi dusri jagah rahne kaa wasad kar key a baghair qasd ked oos din wahan muqeem rahe to oos ke liye bhi yahi hukm hai. Albatta sarbaan aur driver jo apni gadee kira'e par chalaataa hai, oon ke liye khaas taur par hukm hai keh aisi suurat mein ehteyaat-e-mustahab ki binaa par jab das din qayaam ke ba'd pahle safar par niklein to namaaz qasr bhi padhein aur poori bhi.
1300. Jis shakhs ka peshaa musaferat ho oos ke liye yeh shart nahin hai keh kam az kam teen baar musaferat kare taakeh ooski namaaz poori ho balkeh jaise hi oose driver waghairah kahaa jaa sake to chahi'e pahla safar hi kyoon naa ho oos ki namaaz poori hai.
1301. Driver ya saarbaan ki terah jin ka peshaa safar karna hai agar m'amuli se zayaada safar oon ki massaqqat aur thhakaawat ka sabab ho to zaruri hai keh namaaz wasr padhein.
1302. Sayaah keh jo shahr ba shahr siyaasat kartaa ho aur jis ne apne liye koi watan mo'een naa kiyaa ho woh poori namaaz padhe.
1303. Jis shakhs ka peshaa safar karna na ho keh agar maslan kisi shahr ya gaaon mein is ka koi saamaan ho aur woh oose lene ke liye safar par safar kare to zaruri hai keh namaaz qasr padhe. Magar yeh keh kaseerul safar ban jaaye jis ke m'ane massla number 1296 mein zikr ho chuke hain.
1304. Jo shaklhas tark watan kar ke dasra watan apnanaa chahta ho agar oose koi aisaa naam na diya jaa sake jo oos ki namaz ke poora hone ka sabab ho jaise kaseerul safar ya khaana badosh to safar ki halt mein oose namaaz qasr kar ke padhni zaruri hai.

(Aaththwein shart) Agar safar ka aaghaaz apne watan se kare to had tarkhas tak pohoonch jaye laikin watan ke a'lawa had tarkhas mo'tbar nahin hai aur jo koi shakhs apni eqaamat gaah se nikle oos ki namaaz qasr hai.

1305. Had tarkhas woh jagah hai jahaan se ahle shahr hatta keh woh afraad jo shahr ke mazaafaat mein shahr ke bnaahar rahte hain musaafir ko naa dekh sakein aur oos ki alaamat yeh hai keh woh ahle shahr ko na dekh sake.
1306. Jo musaafir apne watan waapas aa rahaa ho jab tak woh apne watan waapas na pohoonche wasr namaaz padhna zaruri hai. Aise hi jo musaafir watan ke a'lawa kisi aur jagah das din thharnaa chahta ho woh jab wohan na pohoonche oos ki namaaz qasr hai.
1307. Agar shahr itni bulandi par waq'e ho keh wahan ke baashinde door se dikhaayee dein ya is qadr nasheb mein waaq'e ho keh agar insaan thhoraa saa door bhi jaye to wahan ke baashindon ko na dekh sake to oos shahr mein rahne waalon mein se jo shakhs safar mein ho jab woh itnaa door chla jaaye keh agar woh shahr humwaar zameen par hotaa to wahan ke baashinde ma'muli se zayaada ho to zaruri hai keh ma'mul ka lehaaz rakhe.
1308. Koi shakhs kashti ya rail mein baithhe aur had tarkhas tak pohoonchne se pahle poori namaaz ki niyat se namaaz padhne lage to agar teesri rak'at ke ruku se pahle had tarkhas tak pohoonch jaye to zaruri hai keh qasr namaaz padhe.
1309. Jo suurat pichchle massle mein guzar chuki hai oos ke mutaabiq agar teesri rak'at ke ruku ke ba'd had tarkhas tak pohoonche to zaruri hai keh oose dobaara qasr kar ke padhe aur pahle namaaz ko mukammal karna zaruri nahin hai.
1310. Agar kisi shakhs ko yeh yaqeen ho jaye keh woh hadud tarkhas tak pohoonch chukaa hai aur namaaz qasr kar ke padhne aur oos ke ba'd m'aloom ho keh namaaz ke vaqt had tarkhas tak

nahin pohoonchaa tha to namaaz dobaara padhnaa zaruri hai. Choonanche jab tak had tar khas tak pohoonchaa ho to namaaz poori padhnaa zaruri hai aur oos suurat mein jab keh had tar khas se guzar chukaa ho namaaz qasr kar ke padhe aur agar vaqt nikal chukaa ho to namaaz ko oos ke faut hote vaqt jo hukm tha oos ke mutaabiq adaa kare.

1311. Agar musaafir ki quwat baasara ghair m'amuli ho to oose oos maqaam par pohoonch kar namaaz qasr kar ke padhni zaruri hai jahaan se mutawasta quwat ki aankh ahle shahr ko na dekh sake.

1312. Agar musaafir ko safar ke dauraan shak ho keh had tarkhas tak pohoonchaa hai ya nahin to zaruri hai keh poori namaaz padhe.

1313. Jo musaafir safar ke dauraan apne watan se guzar rahaa ho agar wahan tauquf kare to zaruri hai keh poori namaaz padhe aur agar tauquf na kare to ehteyaat-e-laazim hai keh qasr aur poori namaaz dono padhe.

1314. Jo musaafir apni musaferat ke dauraan apne watan pohoonche zaruri hai keh wahan kuchh deir thhahare to zaruri hai keh jab tak wahan rahe poori namaaz padhe laikin agar woh wahan se aathth farsakh ke faasle par jana chaahe ya maslan chaar farsakh jana chaahe phir chaar farsakh waapas aanaa chaahe to jis vaqt woh had tarkhas tak pohoonche zaruri hai keh namaaz qasr kar ke padhe.

1315. Jis jagah ko insaan ne apni mustaqil sakoonat aur bodubaash ke liye moontakhab kiya hai woh oos ka watan hai khawah woh wahan paidaa huaa ho aur woh oos kaa aabaayee watan ho ya oos ne khud oos jagah ko zindagi basar kar karne ke liye ikhteyaar kiya ho.

1316. Agar koi shakhs iraada rakhtaa ho keh thodi si muddat ek aisi jagah rahe jo oos ka watan nahin hai aur ba'd mein kisi aur jagah chalaa jaye to woh oos ka watan tasawwur nahin hota.

1317. Agar insaan kisi jagah ko zindagi guzaarne ke liye ikhteyaar kare agar woh hameshaa rahne kaa wasad na rakhtaa ho taahum aisaa ho keh 'araf aam mein oose wahan musaafir na kahen aur agarche vaqti taur par das din ya das din se zayaada dusri jagah rahe is ke baawjud pahli jagah hi ko oos ki zindagi guzaarne ki jagah kahenge aur wohi jagah oos ke watan kaa hokam rakhti hai.

1318. Jo shakhs do maqaamaat par zindagi guzaarta ho, maslan chchhe mahine ek shahr mein aur chche mahine dusre shahr mein rahtaa ho to dono maqamaat oos ke watan hain. Nez agar oos ne do maqamaat se zayaada maqaamaat ko zindagi basar karne ke liye ikhteyaar kar rakhaa ho to woh sab oos kaa watan shumaar hote hain.

1319. Ba'az fuqha ne kahaa hai keh jo shakhs kisi jagah sakoonati makaan ka maalik ho agar woh moosalsal chchhe mahine wahan rahne ke iraade se rahe to jis vaqt tak makan oos ki malkiyat mein hai yeh jagah oos ke watan ka hokam rakhti hai. Pas jab bhi woh safar ke dauraan wahan pohoonche zaruri hai keh poori namaaz padhe laikin yeh hokam saabit nahin hai.

1320. Agar ek shakhs kisi aise maqaam pa pohoonche jo kisi zamaane mein oos ka watan rahaa ho aur ba'd mein oos ne oose tark kar diya ho to khawah oos ne koi nayaa watan apne liye moontakhab nab hi kiyaa ho to zaruri hai keh wahan poori namaaz na padhe.

1321. Agar kisi musaafir ka kisi jagah par moosalsal das din rahne ka iraada ho ya woh jaantaa ho keh ba amar majboori das din tak ek jagah rahna padhegaa to wahan poori namaaz padhni zaruri hai.

1322. Agar koi musaafir kisi jagah das din rahna chahta ho to zaruri nahin hai keh oos ka iraada pahli raat ya gyarahwein raat wahan rahne ka ho, joonhi woh iraada kar le keh pahle din ke tulu' aaftaab se daswein din ke gharub aaftaab tak wahan rahegaa to zaruri hai keh poori namaaz padhe aur misaal ke taur par oos ka iraada pahle din ki zuhr se gyarahwein din ki zuhur tak wahan rahne ka ho to oos ke liye yahi hukm hai.

1323. Jo musaafir kisi jagah das din rahna chahta ho oose is suurat mein poori namaaz padhni zaruri hai jab woh saare saare din tak ek jagah rahna chahta ho. Pas agar woh misaal ke taur par chaahe keh das din najaf aur kufa ya Teheran aur shammera ya (karachi aur Hyderabad) mein rahe to zaruri hai keh namaaz qasr kar ke padhe.
1324. Jo musafir kisi jagah das din rahna chhata ho agar woh shuru se hi qasd rakhtaa ho keh in das dino ke darmiyaan oos jagah ke aas paas aise maqamaat par jaayegaa jo arfan dusri jagah samjhi jaati hai aur jis kaa faasla chaar farsakh se kam ho to agar oos ke jaane aur aane ki muddat araf mein das din qayaam ke manafi naa ho to poori namaz padhe aur agar manafi ho to namaaz qasr kar ke padhe. Maslan agar ibtedaa hi se iraada ho keh ek poore din yaa ek poori raat ke liye wahan se niklegaa to yeh thharne ke qasd ke manafi hai aur zaruri hai keh namaz qasr kar ke padhe laikin agar oos kaa qasd yeh ho keh maslan aadhe dib ba’d niklegaa aur phir fauran lautegaa agar che oos ki vapasi ki raat hone ke ba’d ho to zaruri hai keh namaaz poori padhe. Magar is suurat mein keh is ka is tarah nikalna itna takraar ho keh arafan yeh kahaa jaaye keh woh ya oos se zayaada jagah qayaam pazeer hai.
1325. Jab koi shakhs kisi jagah das din rahne ka musammim iraada naa ho, maslan oos kaa iraada yeh ho keh agar oos kaa saathi aaa gaya ya rahne ko achchha makaan mil gaya to das din wahan rahegaa to zaruri hai keh namaaz qasr kar ke padhe.
1326. Jab koi shakhs kisi jagah das din rahne kaa musammin iraada rakhtaa ho agar oose is baat kaa ehtemaal ho keh oos ke wahan rahne mein koi rukaawat paida hogi aur oos kaa yeh ehtemaal aqla ke nazdeek ma’qul ho to zaruri hai keh namaaz qasr kar ke padhe.
1327. Agar musafir ko ‘ilm ho keh mahina khatm hone mein maslan das ya das se zayaada din baaqi hain aur kisi jagah mahine ke aakhir tak rahne kaa iraada kare to zaruri hai keh namaaz poori padhe. Agar oose ‘ilm naa ho keh mahina khatm hone mein kitne din baaqi hain aur mahine ke aakhir tak wahan rahne kaa iraada kare to zaruri hai keh namaaz qasr kar ke padhe. Agar che jis vaqt oos ne iraada kiya thha oos vaqt se mahine ke aakhir din tak das ya oos se zayaada din bante hon.
1328. Agar musafir kisi jagah das din rahne kaa iraada kare aur ek chaar rak’ati namaaz padhne se pahle wahan rahne kaa iraada tark kar de ya mazbazab ho keh wahan rahe ya kahin aur chalaa jaaye to aruri hai keh namaaz qasr kar ke padhe. Laikin agar ek chaar rak’ati namaaz padhne ke ba’d wahan rahne kaa iraada tark kar de ya mazbazub ho jaye to zaruri hai keh jis vaqt tak wahan rahe namaaz poori padhe.
1329. Agar koi musafir jis ne ek jagah das din rahne ka irada kiya ho roza rakh le aur zuhr ke ba’d wahan rahne ka iraada tark kar de jabkeh oos ne ek chaar rak’ati namaaz padh li ho to jab tak wahan rahe oos ke roze duroost hain aur zaruri hai keh apni namaazein poori padhe aur agar oos ne chaar rak’ati namaaz na padhe ho to Ehteyaatan oos din ka roza poora karma nez oos ki qaza rakhna zaruri hai aur yeh bhi zaruri hai keh apni namaazein qasr kar ke adhe aur ba’d ke dino mein woh roza bhi nahi rakh sakta hai.
1330. Agar koi musafir jis ne ek jagah par das din rahne ka iraada kiya hi wahan rahne ka iraada tark kar de aur shak kare keh wahan rahne ka iraada tark karne se pahle ek chaar rak’ati namaaz padhi hai ya nahin to zaruri hai keh apni namaazein qasr kar ke padhe.
1331. Agar koi musafir namaaz ko qasr karke padhne ki niyyat se namaaz mein masshghul ho jaaye aur namaaz ke dauraan muzammin iraada kar le keh das ya das se zayaada din wahan rahegaa to zaruri hai keh namaaz ko chaar rak’ati padh kar khatm kare.
1332. Agar koi musafir jis ne ek jagah das din rahne ka iraada kiya ho pahli chaar rak’ati namaaz ke dauraan apne iraade se baaz aa jaye aur abhi teesri rak’at mein masshghul na hua ho to zaruri hai keh do rak’at padhkar khatm kar le zaruri hai keh bhhait jaye aur namaaz ko

basuurat qasr khatm kare aur agar ruku’ mein chalaa gaya ho to apni namaaz tudh sakta hai ya mukammal kar sakta hai laikin zaruri hai keh oos namaaz ko dobaarah qasr kar ke padhe.

1333. Jis musafir ne kisi jagah das din rahne ka iraada kiya ho agar wahan das din tak rahe to jab tak wahan se safar na kare zaruri hai keh namaaz poori padhe aur yeh zaruri nahin hai keh dobaarah das din rahne ka iraada kare.

1334. Jis musafir ne ek jagah das din rahne ka iraada kiya ho to zaruri hai keh waajib roze ka iraada rakhe aur mustahab rozah bhi rakh sakta hai aur zuhr, asr aur isha ki naflein bhi padh sakta hai.

1335. Agar ek musafir jis ne kisi jagah das din rahne ka iraada kiya ho ek chaar rak’ati adaa namaaz padhne ke ba’d ya wahan das din rahne ke ba’d agarche oos ne ek bhi poori amaaz padhi ho ya chaahe keh ek aisi jagah jaye jo chaar farsakh se kam faasle par ho aur phir laut aaye aur apni pahli jagah par das din ya oos se kam muddat ke liye rahe to zaruri hai keh jaane ke vaqt se vapasi tak aur vapasi ke ba’d apni namaazein poori padhe. Laikin agar is ka apni aqaamat ke maqaam par waapas aana faqat is wajah se ho keh woh iis safar ke raaste mein waq’e ho aur oos ka safar shar’ee massaafat ka ho to oos ke liye zaruri hai keh jaane aur aane ke dauraan aur thharne ki jagah mein namaaz qasr kar ke padhe.

1336. Agar ek musafir jis ne kisi jagah das din rahne ka iraada kiya ho ek chaar rak’ati adaa namaaz padhne ke ba’d chaahe keh kisi aur jagah chalaa jaye jis ka faasla aathh farsakh se kam ho aur das din wahan rahe to zaruri hai keh dauraan safar aur oos jagah jahaan par woh das din rahne ka iraada rakhtaa ho apni namaazein poori padhe. Laikin agar woh jagah jahaan woh jana chahta ho aathh farsakh ya oos se zayaada ho to zaruri hai keh dauraan safar apni namaazein qasr karke padhe aur agar woh wahan das din na rahna chahta ho to zaruri hai keh jitney din wahan rahe in dono ki namaazein bhi qasr kar ke padhe.

1337. Agar koi musafir jis ne ek jagah das din rahne ka iraada kiya ho ek chaar rak’ati adaa namaz padhne ke ba’d kisi aisi jagah jana chaahe jis ka faasla chaar farsakh se kam ho aur mazbazab ho keh apni jagah par waapas aaye ya nahin ya oos jagah waapas aane se bilkul ghafil ho ya yeh irada ho keh waapas jayegaa laikin mazbazab ho keh das din oos jagah thhahare ya nahin ya wahan das din rahne aur wohan se safar karne se ghaafil ho to zaruri hai keh jaane ke vaqt se waapas tak aur vapasi ke ba’d apni namaazein poori padhe.

1338. Agar koi musafir is khayaal se keh is ke saathi kisi jagah das din rahna chaahte hain oos jagah das din rahne ka iraada kare aur ek chaar rak’ati ada namaaz padhne ke b’aa chale keh oos ke saathion ne aisaa koi iraada nahin kiya thha to agarche woh khud bhi wahan rahne ka khayaal tark kar de to zaruri hai keh jab tak wahan rahe namaaz poori padhe.

1339. Agar koi musafir ittefaaqan kisi jagah tees(30) din rah jaye maslan 30 ke 30 dino mein wahan se chale jaane ya wahan rahne ke baare mein mazbazab rahaa ho to 30 din guzarne ke ba’d agarche woh thhodi muddat hi wahan rahe zaruri hai keh namaaz poori padhe.

1340. Jo musafir 9 din ya oos se kam muddat ke liye ek jagah rahna chahta ho agar woh oos jagah 9 din ya oos se kam muddat guzaarne ke ba’d 9 din ya oos se kam muddat ke liye dobaara wahan rahne kaa iraada kare aur isi tarah 30 din guzar jayen to zaruri hai keh 31st din poori namaaz padhe.

1341. 30 din guzarne ke ba’d musafir ko is suurat mein namaaz poori padhni zaruri hai jab woh 30 din ek hi jagah rahaa ho. Pas agar oos ne muddat ka kuchh hissa ek jagah aur kuchh hissa dusri jagah guzara ho to 30 din ke ba’d bhi oose namaaz qasr kar ke padhni zaruri hai.

Mutafarraq massa’el

1342. Musafir makka mukarrama, madina moonawwara aur koofe ke poore shahron mein aur hazrat syedash shoda alaihe salaam ke harm mein bhi qabr mutahir se taqriban sadhe gayara 11-1/2 metre ke aitraaf mein apni namaaz poori padh sakta hai.
1343. Agar koi aisa shakhs jise ma'lum ho keh woh musafir hai aur oose namaaz qasr kar ke padhne zaruri hai oon chaar jagahon ke a'lawa jin ka zikr saabqa massle mein kiya gaya hai kisi aur jagah jaan bhoojh kar poori namaaz padhe to oos ki namaaz baatil hai aur agar bhool jaye keh musafir ko namaaz qasr kar ke padhni chahiye aur poori namaaz padh le to oos ke liye bhi yahi hukm hai. Laikin bhool jaane ki surat mein agar oose namaaz ke vaqt ke b'ad yeh baat yaad aaye to oos namaaz ka qaza karna zaruri nahin.
1344. Jo shakhs janta ho keh woh musafir hai aur oose namaaz qasr kar ke padhni zaruri hai, agar woh ghalti se poori namaaz padh le aur bar vaqta mutawajja ho jaye to namaaz dobaara padhna zaruri hai aur agar vaqt guzarne ke b'ad mutawajja ho to ehteyaat ki bina par qaza karna zaruri hai.
1345. Jo musafir yeh na jaanta ho keh oose namaaz qasr kar ke padhni zaruri hai, agar woh poori namaaz padhe to oos ki namaaz sahi hai.
1346. Jo musafir jaanta ho keh oose namaaz qasr kar ke padhni chahiye, agar woh qasr namaaz ke b'az khasusiyaat se naawaqif ho, maslan yeh na janta ho keh aathh farsakh ke safar mein namaaz qasr kar ke padhni zaruri hai to agar woh poori namaaz padh le aur namaaz ke vaqt mein is massle ka pata chal jaye to ehteyaat-e-laazim ki bina par zaruri hai keh dobaaea namaaz padhe aur agar dobaara na padhe to oos ki qaza kare laikin agar namaaz ka vaqt guzarne ke b'ad oose ma'lum ho to oos namaaz ki qaza nahin hai.
1347. Agar ek musafir janta ho keh oose namaaz qasr kar ke padhni chahiye aur woh is gumaan mein poori namaaz padh le keh oos ka safar aathh farsakh se kam hai to jab oose pata chale keh oos ka safar aathh farsakh ka thha to zaruri hai keh jo namaaz poori padhi ho oose dobaara kar ke padhe aur agar oose is baat ka pata namaaz ka vaqt guzar jane ke b'ad chale to qaza zaruri nahin hai.
1348. Agar koi shakhs bhool jaye keh woh musafir hai aur poori namaaz padh le aur oose namaaz ke vaqt ke andar yaad aa jaye to oose chahiye keh qasr kar ke padhe aur agar namaaz ke vaqt ke ba'd yaad aaye to to oos namaaz ki qaza oos par wajib nahin.
1349. Jis shakhs ko poori namaaz padhni zaruri hai agar woh oose qasr kar ke padhe to oos ki namaaz har surat mein baatil hai. Agarche yeh hukm – aise musafir ke liye hai jo kisi jagah das din rahne ka iraada rakhta ho aur massle ka hukm na janne ki wajah se namaaz qasr kar ke padhi ho ehteyaat-e-wajib ki bina par hai.
1350. Agar ek shakhs chaar rak'ati namaaz padh raha ho ho aur namaaz ke dauraan oose yaad aaye keh woh to musafir hai ya is amr ki taraf mutawajja ho keh oos ka safar aathh farsakh hai aur woh abhi teesri rak'at ke ruk'u mein na gaya ho to zaruri hai keh namaaz ko do rak'aton par hi tamaam kar de aur agar teesri rak'at mukammil kar chuka ho to oos ki namaaz baatil hai aur agar teesri rak'at ke ruku' mein ja chuka ho to ehteyaat ki bina par oos ki namaaz baatil hai aur agar oos ke paas ek rak'at padhne ke liye bhi vaqt baaqi ho to zaruri hai keh namaaz ko naye sssre se qasr kar ke padhe aur agar vaqt na ho to namaaz ko qasr surat mein qaza kare.
1351. Agar kisi musafir ko "namaaz musafir" ki b'az khususiyaat ka 'ilm na ho maslan woh yeh na janta ho keh agar chaar farsakh tak jaye aur waapsi mein chaar farsakh ka faasla tay kare to oose namaaz qasr kar ke padhni zaruri hai aur chaar rak'at waali namaaz ki niyyat se namaaz mein masshghul ho jaye aur teesri rak'at ke ruku' se pahle massla oos ki samajh mein aa jaye to zaruri hai keh namaaz ko do rak'aton par hi tamaam kar de aur agar woh ruku' mein is amr ki janib mutawajja ho to ehteyaat ki bina par oos ki namaaz baatil hai aur is surat mein agar oos ke

paas ek rak'at padhne ke liye bhi vaqt baaqi ho to zaruri hai keh namaaz ko naye seere se qasr kar ke padhe.
1352. Jis musafir ko poori namaaz padhni zaruri ho agar woh massla na janne ki wajah se do rak'ati namaaz ki niyyat se namaaz padhne lage aur namaaz ke dauraan massla oos ki samajh mein aa jaye to zaruri hai keh chaar rak'ati padh kar namaaz ko tamaam kare aur ehteyaat-e-mustahab yeh hai keh namaaz khatm hone ke ba'd dobaara oos namaaz ko chaar rak'ati padhe.
1353. Jis musafir ne abhi namaaz na padhi ho agar woh namaaz ka vaqt khatm hone se pahle apne watan pohoonch jaye ya aisi jagah pohoonche jahaan das din rahna chaahta ho to zaruri hai keh poori namaaz padhe aur jo shakhs musafir na ho agar oos ne namaaz ke awwal vaqt mein namaaz na padhi ho aur safar ikhteyaar kare to zaruri hai keh safar mein namaaz qasr kar ke padhe.
1354. Jis musafir ko namaaz qasr kar ke padhna zaruri ho agar oos ki zohur, asr ya isha ki namaaz qaza ho jaye to agarche woh oos ki qaza oos vaqt bajaa laye jab woh safar mein na ho to zaruri hai keh oos ki do rak'ati qaza kare. Agar in teen namaazon mein se kisi aise shakhs ki koi namaaz qaza ho jaye jo musafir nna ho to zaruri hai keh chaar rak'ati qaza baja laye agarche yeh qaza oos vaqt baja laye jab woh safar mein ho.
1355. Mustahab hai keh musafir har qasr namaaz ke ba'd 30 martaba "subhanallahe walhamdolillahe wala ilaha allallaho wallaho akbar" kahe aur agarche yeh zikr har wajib namaaz ki ta'qeeb mein mustahab hai laikin is maurid mein bohut zayada takeed ki gayee hai balkeh behtar hai keh musafir in namaazon ki ta'qeeb mein yahi zikr 60 martaba padhe.

Qaza Namaaz

1356. Jis shakhs ne apni yawmiah namaazein oon ke vaqt mein na padhi hon to zaruri hai keh oon ki qaza bajaa laye agar che namaaz ke poore vaqt ke dauraan so raha ho ya oos ne madhoshi ki wajah se namaaz na padhi ho aur yahi hukm har dusri wajib namaaz ka hai jise oos ke vaqt mein na padha ho. Hatta keh ehteyaat-e-lazim ki bina par yahi hukm hai oos namaaz ka jo mannat ki wajah se mo'een vaqt mein oos par wajib ho chuki ho. Laikin namaaz eid ul fitr aur namaaz eid ul Qurbani ki qaza nahin hai. Aise hi jo namaazein kisi aurat ne haiz ya nafaas ki halat mein na padhi hon oon ki qaza wajib nahin khawah yawmiah namazzein hon ya koi aur hon aur namaaz aayaat ki qaza ka hukm ba'd mein aayegaa.
1357. Agar kisi shakhs ko namaaz ke vaqt ke ba'd pata chale keh jw namaaz oos ne padhi thhi woh baatil thhi to zaruri hai keh oos namaaz ki qaza kare.
1358. Jis shakhs ki namaaz qaza ho jaye to zaruri hai keh oos ki qaza padhne mein kotaahi kare albattah oos ka fauran padhna wajib nahin hai.
1359. Jis shakhs par kisi namaaz ki qaza wajib ho woh mustahab namaaz padh sakta hai.
1360. Agar kisi shakhs ko ehtwmaal ho keh namaaz oos ke zimme hai ya jo namaazein padh chuka hai woh sahi nahin thhi to mustahab hai keh ehteyaatan namaazon ki qaza kare.
1361. Yawmiah namaazon ki qaza mein tarteeb lazim nahin hai siwa'e oon namaazon ke jin ki adaa mein tarteeb hai. Maslan ek din ki namaaz zohur ya maghrib wa 'isha.
1362. Agar koi shakhs chaahe keh yawmiah namaazon ke alaawoh chand namaazein maslan namaaz aayaat ki qaza kare ya misaal ke taur par chaahe keh kisi ek yawmiah namaaz ki aur chand ghair yomia namaazon ki qaza kare to oon ka tarteeb ke saath qaza karna zaruri nahin hai.
1363. Agar kisi shakhs ko ma'loom ho keh oos ne ek chaar rak'ati namaaz nahin padhi laikin yeh 'ilm na ho keh woh zohur ki namaaz thhi ya 'ishaa ki to agar woh ek chaar rak'ati namaaz oos namaaz ki qaza ki niyyat se padhe jo oos ne nahin padhi to kaafi hai aur oose ikteyaar hai keh woh namaaz buland awaaz se padhe ya aahistaa padhe.

1364. Nisaak ke taur par agar kisi ki chand subah ki namaaein ya chand zohur ki namaazein qaza ho gayee hon aur woh oon ki ta'adad na jantaa ho ya bhool gaya ho maslan yeh na jantaa ho keh woh teen thhi, chaar thi ya paanch to agar woh chhote adad ke hisaab se padh le to kaafi hai laikin behtar yeh hai keh utni namaazein padhe keh oose yaqeen ho jaye keh saari qaza namaazein padh le hain. Maslan agar woh bhool gaya ho keh oos ki kitni namaazein qaza thin aur oose yaqeen ho keh das se zayada thin to Ehteyaatan subah kid oos namaazein padhe.
1365. Jis shakhs ki gujistaa dino ki qaza ek namaaz qaza huee ho oos ke liye behtar hai keh agar oos din ki namaaz ki fazilat ka vaqt khatm na ho raha ho to pahle qaza padhe aur oos ke b'ad oos din ki namaaz mein masshghul ho. Nez agar oos ki gujistaa dino ki koi namaaz qaza na huyee ho laikin oosi din ki ek se zayaada namaazein qaza huyee hon to agar oos din ki namaaz ki fazilat ka vaqt khatm na ho raha ho to behtar yeh hai keh oos din ki qaza namaazein adaa namaaz se pahle padhe.
1366. Agar kisi shakhs ko namaaz padhte huye yaad aaye keh oosi din ki ek ya zayaada namaazein oos se qaza ho gayee hain ya gujista dino ki sirf ek qaza namaaz oos ke zimme hai to agar vaqt wasee ho aur niyyat ko qaza namaaz ki taraf phernaa mumkin ho aur oos din ki namaaz ki fazilat ka vaqt khatm na ho raha ho to behtar yeh hai keh qaza namaaz ki niyyat kar le. Maslan agar zohur ki namaaz mein teesri rak'at ke ruku' se pahle oose yaad aaye keh oos din ki subah ki namaaz qaza huyee hai aur zohur ki namaaz ka vaqt fazilat bhi tang na ho to niyyat ko subah ki namaaz ki taraf pher de aiur namaaz ko do rak'ati tamaam kar le aur oos ke b'ad namaaz zohur padhe. Han! Agar vaqt fazilat tang ho ya niyyat ko qaza namaaz ki taraf nap her sakta ho maslan namaaz zohur ki teesri rak'at ke ruke' mein oose yaad aaye keh oos ne subah ki namaaz nahin padhi to choon nakeh agar woh namaaz subah ki niyyat karna chaahe to ek ruke' jo keh rukn hai zayaada ho jata hai is liye niyyat ko subah ki taraf na phere.
1367. Agar gujistaa dino ki qaza namaazein ek shakhs ke zimme hon aur oos din ki ek ya ek se zayaada namaazein bhi oos se qaza ho gayee hon aur in sab namaazon ko padhne ke liye oos ke paas vaqt na ho yaw ah in sab ko oosi din na padhna chaahtaa ho to mustahab hai keh oos din ki qaza namaazon ko adaa namaaz se pahle padhe.
1368. Jab tak insaan zindah hai khawah apni qaza namaazein padhne se qqair hi kyoon na ho koi dusra shakhs oos ki qaza namaazein nahin padh sakta.
1369. Qaza namaaz ba jama'at bhi padhi ja sakti hai khawah amam jama'at ki namaaz adaa ho ya qaza ho aur yeh zaruri nahin keh dono ek hi namaaz padhein. Maslan agar koi shakhs subah ki qaza namaaz ko tamam ki namaaz zohur ya namaaz asr ke saathh padhe to koi harj nahin hai.
1370. Mustahab hai keh samajhdaar bachche ko (y'ani oos bachche ko jo bure bhale ki samajh rakhta ho) namaaz padhne aur dusri ibaadaat bajaa lane ki aadat daali jaye balkeh mustahab hai keh oose qaza namaazein padhne par bhi aamaadah kiya jaye.

Baap ki qaza namaazein jo bade bete par wajib hain

1371. Agar baap ne apni kuchh namaazein na padhi hon aur oon ki qaza padhne par qaadir ho to agar oos ne 'amr khuda wandi ki nafarmani karte huye oon ko tark na kiya ho to ehteyaat ki binaa par oos ke badhe bete par wajib hai keh baap ke marne ke b'ad oos ki qaza namaazein padhe ya kisi ko ujrat de kar padhwa'e aur maa ki qaza namaazein oos par wajib nahin, agar che behtar hai.
1372. Agar badhe bete ko shak ho keh koi qaza namaaz oos ke baap ke zimme thhi ya nahin to phir oos par kuchh bhi wajib nahin.

1373. Agar badhe bete ko ma'loom ho keh oos ke baap ke zimme qaza namaazein thin aur shak ho keh oos ne woh padhi thhi ya nahin to ehteyaat-e-wajib ki bina par zaruri hai keh oon ki qaza bajaa laye.
1374. Agar yeh ma'loom na ho keh badhaa beta kaoon sa hai to baap ki namaazon ki qaza kisi bete par bhi wajib nahin hai. Laikin ehteyaat-e-mustahab hai keh bete baap ki qaza namaazein aapas mein taqseem kar lein ya oonhein bajaa lane ke liye qur'a andaazi kar lein.
1375. Agar marne waale ne wasiyat ki ho keh oos ki qaza namaazon ke liye kisi ko ajeer banaya jaye (ya'ni kisi se ujrat par namaazein padha'ee jayein) aur oos ki wasiyat sha'an sahi ho to ooske badhe bete par kuchh wajib nahin hai.
1376. Agar badhe beta apni maa ki qaza namaazein padhna chaahe to zaruri hai keh buland awaaz se ya aahista namaaz padhne ke baare mein apne wazife ke mutabiq a'mal kare. Pas zaruri hai keh apni maa ki subah, maghrib aur 'isha ki qaza namaazein buland awaaz se padhe.
1377. Jis shakhs ke zimme kisi namaaz ki qaza ho, agar woh baap aur maa ki namaazein bhi qaza karna chaahe to oon mein se job hi pahle bajaa laaye sahi hai.
1378. Agar baap ke marne ke vaqt badha beta naabaaligh ya diwaana ho to oos par wajib nahin keh jab baaligh ya 'aqil ho jaye to baap ki namaazein padhe.
1379. Agar badha beta baap ki qaza namaazein padhne se pahle mar jaye to dusre bete par kuchh wajib nahin.

Namaaz Jama'at

1380. Yawmiah namaazein jama'at ke sathh padhna mustahab hai aur subah, maghrib wa 'isha ki namaazon ke liye khasusan massjid ke pados mein rahne waale aur massjid ki aazan ki awaaz suoonne waale ke liye bohut zayada taakeed ki gayee hai. Isi tarah mustahab hai keh baaqi wajib namaazon ko bhi jama'at se adaa kiya jaye. Albatta namaaz tawaaf aur chaand wa suraj grahan ke a'alawa namaaz aayaat mein yeh saabit nahin hsaka keh shari'at ne jama'at se namaaz padhne ki ijaazat di hai ya nahin.
1381. Mo'atbar riwayaat ke mutaabiq bajama'at namaaz faradi namaaz se 25 goonaa afzal hai.
1382. Be a'itnaayee baratte huye namaaz jama'at mein shareek na hona jaayez nahin hai aur insaan ke liye yeh moonasib nahin hai keh baghair azr ke namaaz jama'at ko tark kare.
1383. Mustahab hai keh insaan sabr kare takeh namaaz jama'at ke sathh padhe aur woh bajama't namaaz jo mukhtasar padhi jaye oos faraadi namaaz se behtar hai jo tool digar padhe jaye aur namaaz ya jama'at oos namaaz se behtar hai jo awwal vaqt mein faraadi y'ani tanhaa padhi jaye aur vaqt fazilat ke b'ad padhi jaane waali jama'at ka, fazilat ke vaqt mein padhi jaane waali faraadi se behtar hona ma'loom nahin.
1384. Jab jama'at ke saathh namaaz padhi jaane lage to mustahab hai keh jis shakhs ne tanhaa namaaz padhi ho woh dobaarah jama'at ke saathh padhe aur agar oose b'ad mein pata chale keh oos ki pahli namaaz baatil thhi to dusri namaaz kaafi hai.
1385. Agar imam jama'at ya maqtadi jama'at ke saathh namaaz padhne ke b'ad oosi namaaz ko dobaarah jama'at ke saathh padhna chaahe to agar che oos ka mustahab hona saabit nahin. Laikin dobaarah padhne ki koi mumaniat nahin hai.
1386. Jis shakhs ko namaaz mein is qadr waswasa hotaa ho keh oos namaaz ke baatil hone ka maujub ban jaataa ho aur sirf jama'at ke saathh namaaz padhne se oose waswase se nijaat milti ho to zaruri hai keh woh namaaz jama'at ke saathh padhe.
1387. Agar baap ya maa apni aulaad ko hukm dein keh namaaz jama'at ke saathh padhe to ehteyaat-e-mustahab hai keh namaaz jama'at ke saathh padhe. Albatta jab bhi waaledain ki taraf

se koi hukm ya rok tok mohabbat ki wajah se ho aur oos ki mukhalafat se oonhein azeeyat hoti ho to aulaad ke liye oon ki mukhalafat karna haraam hai.

1388. Mustahab namaaz ki bhi jagah ehteyaat ki bina par jama'at ke saathh nahin padhi ja sakti laikin namaaz isteqaa jo talab baraan ke liye padhi jaati hai jama'at ke saathh padh sakte hain aur isee tarah woh namaaz bhi jama'at ke saathh padh sakte hain jo pahle wajib rahi ho aur phir kisi wajah se mustahab ho gayee ho, maslan namaaz Eid ul fitr aur namaaz Eid Qurbani ho imam mehdi alaih alsalaam ke zamaane tak wajib thhi aur oon ki ghaibat ki wajah se mustahab ho gayee hai.

1389. Jis vaqt Imam jama'at yawmiah namaazon mein se koi namaaz padhaa raha ho to oos ki iktedaa koi si bhi yawmiah namaaz mein ki ja sakti hai.

1390. Agar imam jama'at yowmiah namaazon mein se qaza shudah apni ya kisi dusre shakhs ki aisee namaaz ki qaza padhaa raha ho jis ka qaza hona yaqeeni ho to oos ki aktadaar ki jaa sakti hai. Laikin agar woh apni ya kisi dusre ki namaaz ehteyaatan padhaa raha ho to oos ki iktedaa jaayez nahin. Magar yeh keh maqtadi bhi ehteyaatan padh raha ho aur Imam ki ehteyaat ka sabab maqtadi ki ehteyaat ka bhi sawaab ho laikin zaruri nahin hai keh maqtadi ki ehteyaat ka koi dasra sabab na ho.

1391. Agar Insaan ko yeh 'ilm na ho keh jo namaaz Imam padh raha woh wajib oanchganaa namaazon mein se hai ya mustahab namaaz hai to oos namaaz mein Imam ki iktedaa nahin ki ja skati hai.

1392. Jama'at ke sahi hone ke liye yeh shart hai keh Imam aur maqtadi ke darmiyan aur isee tarah ek maqtadi aur dusre aise maqtadi ke darmiyan jo is maqtadi aur Imam ke darmiyan waasta ho koi cheez ha'el na ho aur ha'el cheez se muraad woh cheez hai jo oonhein ek dusre se judaa kare khawah dekhne mein man'e ho jaise keh pardah ya deewaar waghairah ya dekhne mein ha'el na ho jaise sheesha. Pas agar namaaz ki tamaam ya b'az halation mein Imam aur maqtadi ke darmiyan ya maqtadi aur dusre aise maqtadi ke darmiyan jo itsaal ka zikr ho koi aisee cheez ha'el ho jaye to jama'at baatil hogi aur jaisa keh b'ad mein zikr hoga aurat is hukm se mutsanaa hai.

1393. Agar pahli saf ke lanbaa hone ki wajah se is ke dono taraf khade hone waale log Imam jama'at ko na dekh saken tab bhi woh iktedaa kar sakte hain aur isee tarah agar dusri safon mein se kisi saf ki lanba'ee ki wajah se is ke dono taraf khade hone waale log apne se aage waali saf ko na dekh saken tab bhi woh iktedaa kar sakte hain.

1394. Agar jama'at ki safein massjid ke darwaaze tak pohoonch jayein to jo shakhs darwaaze ke samne saf ke peechhe khada ho oos ki namaaz sahi hai. Neez jo ashkhaas is shakhs ke peechhe khade hokar Imam jama'at ki iktedaa kar rahe hon oon ki namaaz sahi hai balkeh oon logon ki namaaz bhi sahi hai jo dono taraf khade namaaz padh rahe hon aur kisi dusre maqtadi ke taoosat se jama'at se mutasil hon.

1395. Jo shakhs satoon ke peechhe khada ho agar woh daayein ya baayein taraf kisi dusre maqtadi ke tuwastat se Imam jama'at se itsaal na rakhta ho to woh iktedaa nahin kar sakta.

1396. Imam jama'at ke khade hone ki jagah zaruri hai keh maqtadi ki jagah se zayada oonchee na ho laikin agar ma'mooli oonchi ho to harj nahin. Neez agar dhalwan zameen ho aur Imam oos taraf khada ho jo zayada buland ho to agar dhalwan zayada na ho to koi harj nahin.

1397. Agar maqtadi ki jagah Imam ki jagah oonchi ho to koi harj nahin. Laikin agar is qadr oonchee ho keh yeh na kaha jaa sake keh woh ek jagah jam'aa huye hain to jama'at sahi nahin hai.

1398. Agar jama'at mein izaafa mein itsaal ka zari'e ek samajhdaar bachchaa y'ani aisa bachchaa jo achchhe bure ki samajh rakhta ho aur woh log na jante hon keh oos ki namaaz baatil

hai to iktedaa kar sakte hain. Yahi hukm ghair shia ‘isna ashari shakhs ke liye is surat mein hai jab oos ke mazhab ke mutaabiq oos ki namaaz ghalat na ho.

1399. Imam ki takbeer ke b’ad agar agli saf ke log namaaz ke liye tayyar hon aur takbeer kahne hi waale hon to jo shakhs peechhli saf mein khada ho woh takbeer kah sakta hai laikin ehteyaat-e-mustahab yeh hai keh woh intezaar kare takeh agli saf waale takbeer kah lein.

1400. Agar koi shakhs jaanta ho keh agli safon mein se ek saf ki namaaz baatil hai to woh peechhli safon mein iktedaa nahin mar sakta hai laikin agar oose yeh ‘ilm na ho keh oos saf ke logon ki namaaz sahi hai ya nahin to iktedaa kar sakta hai.

1401. Jab koi shakhs jaanta ho keh Imam ki namaaz baatil hai, maslan oose ‘ilm ho keh Imam wazu se nahin hai to khawah Imam khud oos amr ki jaanib mutawajja nab hi ho woh shakhs oos ki iktedaa nahin kar sakta.

1402. Agar maqtadi ko namaaz ke b’ad pata chale keh Imam a’adil na thha ya kaafir thha ya kisi wajah maslan wazu na hone ki wajah se oos ki namaaz baatil thhi to oos ki namaaz sahi hai.

1403. Agar koi shakhs namaaz ke dauraan shak kare keh oos iktedaa ki hai ya nahin chunanche a’laamaton ki wajah se oose itminaan ho jaye keh iktedaa ki hai, to zaruri hai keh namaaz jama’at ke saathh hi khatm kare, basurat digar zaruri hai keh namaaz faraada ki niyyat se khatm kare.

1404. Agar namaaz ke dauraan maqtadi kisi azar ke baghair faraada ki niyyat kare to oos ki jama’at ke sahi hone mein ishkaal hai laikin oos ki namaaz sahi hai. Magar yeh keh oos ne faraada namaaz mein oos ka jo farizah hai, oos par ‘mal na kiya ho to ehteyaat-e-wajib ki bina par zaruri hai keh namaaz ko dohra’e. Laikin agar kisi aisee cheez ko kam ya zayada kar diya jo azar ki surat mein namaaz ko baatil nahin karti. Maslan agar namaaz ki ibteda se faraada ki niyyat na ho aur qir’at bhi na ki ho laikin ruku’ mein oose qasd karna padhe to aisee surat mein faraada ki niyyat se namaaz khatm kar sakta hai aur oose dobaarah padhna zaruri nahin hai. Isee tarah pesh namaaz ki pairwi ke liye ek sajdah zayada ho gaya ho to bhi yahi hukm hai.

1405. Agar maqtadi Imam ke alhamd aur surah padhne ke b’ad kisi uzr ki wajah se faraada ki niyyat kare to alhamd aur swrah padhna zaruri nahin hai. Laikin agar kisi uzr ke baghair ya (Imam ke) alhamd aur surah khatan karne se pahle faeaadi ki niyyat kare to ehteyaat ki bina par zaruri hai keh mukammal alhamd aur surah padhe.

1406. Agar koi shakhs namaaz jama’at ke dauraan faraada ki niyyat kare to phir woh dobaarah jama’at ki niyyat nahin kar sakta. Yahi hukm ehteyaat-e-wajib ki bina par oos vaqt hai jab mazbazab ho keh faraada ki niyyat kare ya na kare aur b’ad mein namaaz ko jama’at ke saathh tamaam karne ka massumim iraadah kare.

1407. Agar koi shakhs shak kare keh namaaz ke dauraan oos ne faraada ki niyyat ki hai ya nahin to zaruri hai keh yeh samajh le keh oos ne faraada ki niyyat nahin ki.

1408. Agar koi shakhs oos vaqt iktedaa kare jab Imam ruku’ mein ho aur Imam ke ruku’ mein shareek ho jaye agar che Imam ne rulu’ ka zikr padh liya ho oos shakhs ki namaaz sahi hai aur woh ek rak’at shumaar hogi laikin agar woh shakhs baqadr ruku’ ke jhuke taahum Imam ko ruku’ mein na paa sake to woh shakhs apni namaaz faraada ki niyyat se khatm kar sakta hai aur yeh bhi kar sakta hai keh agli rak’at taahum Imam se milne ke liye namaaz ko todh de.

1409. Agar koi shakhs oos vaqt iktedaa kare jab Imam ruku’ mein ho aur baqdr ruku’ ke jhukne aur shak kare keh Imam ke ruku’ mein shareek hua hai ya nahin to agar yeh shak ruku’ khatm karne ke b’ad hua ho to oos ki jama’at sahi hai. Is ke alawoh dusri surat mein namaaz faraada ki niyyat se poori kar sakta hai aur yeh bhi kar sakta hai keh agli rak’at mein Imam se milne ke liye namaaz todh de.

1410. Agar koi shakhs oos vaqt iktedaa kare jab Imam ruku' mein ho aur oos se pahle keh woh baqdr ruku' jhuke, Imam ruku' se sur utthha le to oose ikhteyaar hai keh faraada ki niyyat kar ke namaaz poori kare ya qurbat mutlaqah ki niyyat se Imam ke saathh sajde mein jaye aur sajde ke b'ad qayaam ki haalat mein takbeeratul ehraam aur kisi zikr ka qasd kiye baghair dobaarah takbeer kahe aur namaaz ke saathh padhe ya agli rak'at mein jama'at mein shareek hone ke liye namaz todh de.
1411. Agae koi shakhs namaaz ki ibtedaa mein ya alhamd aur surah ke dauraan iktedaa kare aur ittefaqoon oos se pahle keh woh ruku' mein jaye Imam apna sar ruku' se uttha le to oos shakhs ki namaaz sahi hai.
1412. Agar koi shakhs namaaz ke liye aise vaqt pohoonche jab Imam namaaz kaa aakhri tashadud padh raha ho aur woh shakhs chaahtaa ho keh namaaz jama'at kaa sawaab haasil kare to zaruri hai keh niyyat baandhe aur takbeeratul ehraam kahne ke b'ad baithh jaye aur qurbat mutlaqah ki niyyat se tashadud Imam ke saathh padh sakta hai laikin ehteyaat-e-wajib ki bina par slaam na kahe aur intezaar kare takeh Imam namaaz ka salaam padh le. Iis ke b'ad woh shakhs khada ho jaye aur dobaarah niyyat kiye baghair aur takbeer kahe baghair alhamd aur surah padhe aur oose apni namaaz ki pahli rak'at shumaar kare.
1413. Maqtadi ko Imam se aage nahin hona chahiye balkeh ehteyaat-e-wajib yeh hai keh agar maqtadi zayada hon to Imam ke barabar na khade hon. Laikin agar maqtadi ek aadmi ho to Imam ke barabar khade hone mein koi harj nahin.
1414. Agar Imam mard aur maqtadi aurat ho to agar oos aurat aur Imam ke darmiyaan ya aurat aur dusre mard maqtadi ke darmiyaan jo aurat aur Imam ke darmiyaan itsaal ka zari'a ho, pardah waghairah latka ho to koi harj nahin.
1415. Agar namaaz shuru hone ke b'ad Imam aur maqtadi ke darmiyaan ya maqtadi aur oos shakhs ke darmiyaan jis ke tawasut se maqtadi Imam se mutasik ho par woh ya koi dusri cheez ha'el ho jaye to jama'at baatil ho jaati hai aur laazim hai keh maqtadi faraada namaaz ke wazife par a'mal kare.
1416. Ehteyaat-e-wajib yeh hai keh maqtadi ke sajde ki jagah aur Imam ke khade hone ki jagah ke beech ek lambe tareen qadam se zayada faaslah na ho aur agar insaan ek aise maqtadi ke tawasut se jo is kea age khada ho Imam se mutasil ho tab bhi yahi hukm hai aur ehteyaat-e-mustahab yeh hai keh maqtadi ke khade hone ki jagah aur oos se aage waale shakhs ke khade hone ke darmiyaan oos se zayada faaslah na ho jo insaan ke haalat sajdah mein jaane par hotaa hai.
1417. Agar maqtadi kisi aise shakhs ke tawasut se Imam se mutasil ho jis ne oos ke dayen taraf ya bayen taraf iktedaa ki ho aur saamne se Imam se mutasil na ho to ehteyaat-e-wajib ki bina par zaruri hai keh oos shakhs se jis ne oos ki dayen taraf ya bayen taraf iktedaa ki ho ek lambe tareen qadam se zayada fasle par na ho.
1418. Agar namaz ke dauraan maqtadi aur Imam ya maqtadi aur oos shakhs ke darmiyaan jis ke tawasut se maqtadi Imam se mutasil ho ek lambe tareen qadam se zayada faslah ho jaye to woh apni namaaz faradaa ki niyyat se jaari rakh sakta hai.
1419. Jo log agli saf mein hon agar oon sab ki namaaz khatm ho jaye aur woh fauran dusri namaaz ke liye Imam ki iktedaa na Karen to peechhli saf walon ki niyyat jama'at baatil ho jati hai balkeh agar fauran hi iktedaa kar lein tab bhi peechhli saf ki jama'at sahi hone mein ishkaal hai.
1420. Agar koi shakhs dusri rak'at mein iktedaa kare to oos ke liye alhamd aur surah padhna zaruri nahin. Albatta qoonoot aur tashahhud Imam ke saathh padhe aur ehteyaat yeh hai keh tashahhud padhte vaqt haathon ki oonglian aur pa'on ke talwohn ka agla hissah zameen par

rakhe aur ghutne uthhaa le aur tashahhud ke ba'd zaruri hai keh Imam ke saathh khada ho jaye aur alhamd aur agar surah ke liye vaqt na rakhta ho to alhamd ko tamam kare aur ruku' mein Imam ke saathh mil jaye aur agar poori alhamd padhne ke liye vaqt na ho to alhamd ko adhura chhod kar Imam ke saathh ruku' mein shaamil ho sakta hai. Laikin is surat mein ehteyaat-e-mustahab yeh hai keh namaaz ko faradaa ki niyyat se padhe.

1421. Agar koi shakhs oos vaqt iktedaa kare jab Imam chaar rak'ati namaaz ki dusri rak'at padhaa raha ho to zaruri hai keh apni namaaz ki dusri rak'at mein jo Imam ki rak'at hogi do sajdon ke b'ad baithh jaye aur wajib miqdaar mein tashahhud padhe aur phir khada ho aur agar teen dafa' tasbeehaat padhne ka vaqt na raktaa ho to zaruri hai keh ek daf'a padhe aur ruku' mein apne aap ko Imam ke saathh shareek kare.

1422. Agar Imam teesri ya chawthi rak'at mein ho aur maqtadi jaanta ho keh agar iktedaa karegaa aur alhamd apdhegaa to Imam ke saathh ruku' mein shaamil na hi sakegaa to ehteyaat-e-wajib ki bina par zaruri hai keh Imam ke ruku' mein jaane tak intezaar kare oos ke b'ad iktedaa kare.

1423. Agar koi shakhs Imam ke teesri ya chawthi rak'at mein qayaam ki haalat mein jaane ke vaqt iktedaa kare to zaruri hai keh alhamd aur surah padhe aur agar surah padhne ke liye vaqt na ho to zaruri hai keh alhamd tamam kare aur ruku' mein Imam ke saathh shareek ho jaye aur agar poori alhamd padhne ke liye vaqt na ho to alhamd ko adhura chhudh kar Imam ke saathh ruku' mein shamil ho skata hai. Laikin is surat mein ehteyaat-e-mustahab yeh hai keh faradaa ki niyyat se namaaz poori kare.

1424. Agar ek shakhs jantaa ho keh agar woh surah ya qoonoot padhe to ruku' mein Imam ke sathh shareek nahin ho skata aur woh amuman surah ya qoonoot padhe aur ruku' mein Imam ke sathh shareek na ho to oos ki jama'at batil ho jati hai aur zaruri hai keh woh faradaa taur par namaaz padhe.

1425. Jis shakhs ko itminaan ho keh agar surah shuroo kare ya oose tamam kare to woh ruku' mein Imam ke sathh shareek ho jayegaa to agar zayada deir na ho rahi ho to ke liye behtar yeh hai keh surah shuroo kare ya agar shuroo kiya ho to oose tamam kare laikin agar itni zayada deir ho rahi ho keh oose Imam ka maqtadi na kaha ja sake to zaruri hai keh oose shuroo na kare aur agar shuroo kar chuka ho to oose pooraa na kare warna oos ki jama'at batil ho jayegi. Albatta agar oos ne mass'la 1223 mein bataye gaye tariqe ke mutabiq faradaa ke wazife ke mutabiq 'amal kiya ho to oos ki namaaz sahi hai.

1426. Jo shakhs yaqeen rakta ho keh surah padh kar Imam ke sathh ruku' mein shareek ho jayega aur Imam ki iktedaa khatm nahin hogi, lehaza agar woh surah padh kar Imam ke sathh ruku' mein shareek na ho sake to oos ki jama'at sahi hai.

1427. Agar Imam qayaam ki haalat mein ho aur maqtadi ko ma'loom na ho keh woh kaoon si rak'at mein hai to woh iktedaa kar sakta hai aur ehteyaat-e-wajib ki bina par zaruri hai keh alhamd aur surah padhe, laikin zaruri hai keh oonhein qurbat ki niyyat se padhe.

1428. Agar koi shakhs is khayaal se keh Imam pahli ya dusri rak'at mein hai alhamd aur surah na padhe aur ruku' ke b'ad oose pata chal jaye keh Imam teesri ya chawthi rak'at mein thha to maqtadi ki namaaz sahi hai. Laikin agar oose ruku' se pahle is baat ka pata chal jaye to zaruri hai keh alhamd aur surah padhe aur agar vaqt tang ho to massla 1223 ke mutabiq a'mal kare.

1429. Agar koi shakhs yeh khayaal karte hue alhamd aur surah padhe keh Imam teesri ya chawthi rak'at mein hai aur ruku' se pahle ya oos ke b'ad oose pata chale keh Imam pahle ya dusri rak'at mein thha to maqtadi ki namaaz sahi hai aur agar yeh baat oose alhamd aur surah padhte hue ma'loom ho to oon ka tamam karna oos ke liye zaruri nahin.

1430. Agar koi shakhs mustahab namaaz padh raha ho aur jama'at qaayem ho jaye aur oose yeh itminaan na ho keh agar mustahab namaaz ko tamam karegaa to jama'at ke sathh shareek ho sakegaa to mustahab yeh hai keh jo namaaz padh raha ho oose chhod de aur namaaz jama'at mein shaamil ho jaye chaahe yeh kaam pahle rak'at mein shareek hone ke liye hi kare.
1431. Agar koi shakhs teen rak'ati ya chaar rak'ati namaaz padh raha ho keh agar namaaz ko poora karegaa to jama'at mein teesri rak'at ke ruku' mein na gaya ho aur oose yeh itminaan na ho keh agar namaaz ko poora karegaa to jama'at mein shareek ho sakegaa to mustahab hai keh namaaz ki niyyat ke sathh oos namaaz ko do rak'at par khatm kar de aur jama'at ke sathh shareek ho jaye.
1432. Agar Imam ki namaaz khtam ho jaye aur maqtadi tashahhud ya pahla salaam padhne mein masshghul ho to oos ke liye faraada y'ani tanhaa namaaz ki niyyat karna lazim nahin.
1433. Jo shakhs Imam se ek rak'at peechhe ho oos ke liye yeh hai keh jab Imam aakhri rak'at ka tashahhud padh raha ho to haathon ki oonglion aur pa'on ke talwohn ka agla hissa zameen par rakhe aur ghutno ko buland kare aur Imam ke salaam padhne tak intezaar kare aur phir khada ho jaye aur agar oosi vaqt faraada ka qasd karna chaahta hai to koi harj nahin.

Imam Jama'at ki Shara'et

1434. Imam jama'at ke liye zaruri hai keh baaligh, 'aqil, shia isna ashari, 'adil aur halal zadah ho aur namaaz sahi padh sakta ho neez agar maqtadi mard ho to oos ka Imam bhi maed hona zaruri hai aur das salah bachche ki iktedaa sahi ho to agarche wajah se khaali nahin, laikin ishkaal se bhi khaali nahin hai. A'dil hone ka matlab yeh hai keh insaan wajebaat ko anjaam de aur haraam kaamon ko tark kare aur kisi ka husan-e-zahir hi oos ki a'laamat hai jabkeh oos ke barkhilaaf baat ki itla' na ho.
1435. Jo shakhs pahle ek Imam ko a'dil samjhta thha, agar shak kare keh woh ab bhi apni a'dalat par qa'em hai ya nahin tab bhi oos ki iktedaa kar sakta hai.
1436. Jo shakhs khada ho kar namaaz padhtaa ho woh kisi aise shakhs ki iktedaa nahin kar sakta jo baithh kar ya leit kar namaaz padhtaa ho aur jo shakhs baithh kar namaaz padhtaa ho woh kisi aise shakhs ki iktedaa nahin kar sakta jo leit kar namaaz padhta ho.
1437. Jo shakhs baithh kar namaaz padhtaa ho woh oos shakhs ki iktedaa kar sakta hai jo baithh kar namaaz padhtaa ho laikin jo shakhs leit kar namaaz padhtaa ho oos ka kisi bhi shakhs ki iktedaa mein namaaz padhna mahal ishkaal hai, chaahe Imam khada hua ho, baithha hua ho ya leit kar namaaz padh raha ho.
1438. Agar Imam jam'at kisi uzr ki wajah se najis lebaas ya tayummum ya jabeere ke wazu se namaaz padhe to oos ki iktedaa ki ja sakti hai.
1439. Agar Imam jam'at kisi aisee beemari mein mubtela ho jis ki wajah se peshaab aur pakhaana na rok sakta ho to oos ki iktedaa ki ja sakti hai neez jo aurat mustehaza na ho woh mustehaza aurat ki iktedaa kar sakti hai.
1440. Behtar hai keh jo shakhs jazaam ya baras ka mareez ho woh Imam jam'at na bane aur ehteyaat-e-wajib yeh hai keh jis shakhs par shar'ee had jaari ho chuki ho aur woh tauba bhi kar chuka ho oos ki iktedaa na ki jaye.

Namaaz Jama'at ke Ehkaam

1441. Namaaz ki niyyat karte vaqt zaruri hai keh maqtadi Imam ko mo'een kare laikin Imam ka naam janna zaruri nahin aur agar niyyat kare keh mein maujooda Imam jam'at ki iktedaa karta hoon to oos ki namaaz sahi hai.

1442. Zaruri hai keh maqtadi alhamd aur surah ke a'lawa namaaz ki sab cheezein khud padhe. Laikin agar ooski pahli aur dusri rak'at ki teesri aur chawthi rak'at ho to zaruri hai keh alhamd aur surah bhi padhe.
1443. Agar maqtadi namaaz subah, maghrib woh isha ki pahli aur dusri rak'at mein Imam ki alhamd aur surah padhne ki awaaz suoon raha ho to khud woh kalmaat ko thhik tarah na samajh sake zaruri hai keh alhamd aur surah na padhe aur agar Imam ki awaaz na suoon raha ho to mustahab hai keh alhamd aur surah padhe. Laikin zaruri hai keh aahistah padhe aur agar sahoon buland awaaz se padhe to koi harj nahin hai.
1444. Agar maqtadi Imam ki alhamd aur surah ki qir'at ke ba'az kalmaat suoon le to jis qadr na suoon sake woh padh sakta hai.
1445. Agar maqtadi sahuwan alhamd aur surah padhe ya yeh khayaal karte huye keh jo awaaz suoon raha hai woh Imam ki nahin hai alhamd aur surah padhe aur b'ad mein oose pata chale keh Imam ki awaaz thhi to oos ki namaaz sahi hai.
1446. Agar maqtadi shak kare keh Imam ki awaaz suoon raha hai ya nahin ya koi awaaz suoone aur yeh na jaantaa ho keh Imam ki awaaz hai ya kisi aur ki to woh alhamd aur surah padh sakta hai.
1447. Maqtadi ko namaaz zohur wa a'sr ki pahli aur dusri rak'at mein ehteyaat ki bina par alhamd aur surah nahin padhna chahiye aur mustahab hai keh oon ki bajaye koi zikr padhe.
1448. Maqtadi ko takbeeratul ehraam Imam se pahle nahin kahni chahiye balkeh ehteyaat-e-wajib yeh hai keh jab tak Imam takbeer mukammal na kar le, maqtadi takbeer na kahe.
1449. Agar maqtadi sahoon Imam se pahle salaam kah de to oos ki namaaz sahi hai aur zaruri nahin keh woh dobaarah Imam ke sathh salaam kahe balkeh agar jaan bhoojh kar bhi Imam se pahle salaam kah de to koi harj nahin hai.
1450. Agar maqtadi takbeeratul ehraam ke a'lawa namaaz ki dusri cheezein Imam se pahle padh le to koi harj nahin laikin agar suoon le ya yeh jaan le keh Imam oonhein kis vaqt padhtaa hai to ehteyaat-e-mustahab yeh hai keh Imam se pahle na padhe.
1451. Zaruri hai keh maqtadi jo kuchh namaaz mein padha jaata hai oos ke a'lawa dusre afa'al maslan ruku' aur sajud Imam ke sathh ya oos se thhodhi deir b'ad baja laye aur agar woh oon afa'al ko amuman Imam se pahle ya oos se itni deir b'ad anjaam de keh oose Imam ki matab'at karna na kaha ja sake to oos ki jama'at baatil hogi. Laikin agar massla no. 1404 mein batayee gayee tafseel ke mutabiq faraada shakhs ke wazife par a'mal kare to oos ki namaaz sahi hai.
1452. Agar maqtadi bhool kar Imam se pahle ruku' se sar uthha le aur Imam ruku' mein hi ho to ehteyaat ki bina par zaruri hai keh woh dobaarah ruku' mein chala jaye aur Imam ke sathh hi sur uthha'e. Is surat mein ruku' ki zayadati jo keh rukn hai namaaz ko baatil nahin karti aur agar woh amuman dobaarah ruku' mein na jaye to oos ki jama'at ehteyaat-e-wajib ki bina par baatil ho jayegi, albatta oos ki namaaz massla 1404 mein batayee gayee tafseel ke mutabiq sahi hogi. Laikin agar woh dobaarah ruku' mein jaye aur oos se peshtar woh Imam ke sathh ruku' mein shareek ho to sur thha le ehteyaat ki bina par oos ki namaaz baatil hai
1453. Agar maqtadi sahuwan sar sajde se uththaa le aur dekhe keh Imam abhi sajde mein hai to ehteaat ki binaa par zaruri hai keh dobaarah sajde mein jaye aur agar dono sajdon mein aisa hi ittefaaq ho jaye to do sajdon ke zayada ho jaane ki wajah se jo ke rukn hai namaaz batil nahin hoti.
1454. Jo shakhs sahuwan Imam se pahle sajde se sar uththaa le agar oose dobaarah sajde mein jaane par ma'loom ho keh Imam pahle hi sar uththa chuka hai to oos ki namaaz sahi hai. Laikin agar dono sajdon mein aisa hi ittefaaq ho jaye to ehteyaat ki bina par oos ki namaaz batil hai.

1455. Agar maqtadi ghalti se ruku' ya sajde se sar uththa le aur sahuwan ya is khayal se keh dobaarah ruku' ya sajde mein laut jaane se Imam ke saath shareek na ho sakega ruku' ya sajde mein na jaye to oos ki jam'at aur namaaz sahi hai.

1456. Agar maqtadi sajde se sar uththa le aur dekhe keh Imam sajde mein hai aur is khayal se keh yeh Imam ka pahla sajdah hai aur is niyyat se keh Imam ke sath sajdah kare, sajde mein chala jaye aur ba'd mein oose ma'loom ho keh yeh Imam ka dasra sajdah thaa to yeh maqtadi ka dasra sajdah shumar hoga aur agar is khayal se sajde mein jaye keh Imam ka dasra sajdah hai aur b'ad mein m'aloom ho keh Imam ka pahla sajdah thaa to zaruri hai keh is niyyat se sajdah tamaam kare keh Imam ke saath sajdah kar raha ho aur phir dobaarah Imam ke sath sajde mein jaye aur dono suraton mein behtar yeh hai keh namaaz ko jama'at ke sath tamaam kare aur phir dobaarah bhi padhe.

1457. Agar koi maqtadi sahuwan Imam se pahle ruku' mein chala jaye aur surat yeh ho keh agar dobaarah qayam ki halat mein aa jaye to Imam ki qir'at ka kuchh hissa suoon sake to agar woh uththa le aur dobaarah Imam ke sath ruku' mein jaye to oos ki namaaz sahi hai aur agar woh jaan bhoojh kar dobaarah qayaam ki halat mein na aaye to oos ki jama't ka sahi hona mahal ishkaal hai. Albatta massla 1404 mein batayee gayee tafseel ke mutabiq oos ki namaaz sahi hai.

1458. Agar maqtadi sahuwan Imam se pahle ruku' mein chala jaye aur surat yeh ho keh agar dobaarah qayam ki halat mein aaye to Imam ki qir'at ka koi hissa na suoon sake to zaruri hai keh ruku' ka zikr kahe aur agar ruku' ka zikr padhna is baat ka ba'as ho keh goya oos ne ruku' mein Imam ki mataaba'at nahin ki hai to apna sar uthha le aur Imam ke sath ruku' mein jaye aur oos ki jama'at aur namaaz sahi hai aur agar woh amadam dobaarah qayaam ki halat mein na aaye to oos ki namaaz massla no. 1404 mein batayee gayee tafseel ke mutabiq sahi hai.

1459. Agar maqtadi ghalti se Imam se pahle sajde mein chala jaye to zaruri hai keh sajde ka zikr padhe aur agar sajde ka zikr padhna is baat ka ba'as ho keh goyaa sajde mein Imam ki mataaba'at nahin ki to apna sar uthha le aur Imam ke sath sajde mein jaye aur oos ki jama'at aur namaaz sahi hai au raga qmadan sajde se sar na uthha le to oos ki namaaz massla no. 1404 mein batayee gayee tafseel ke mutabiq sahi hai.

1460. Agar Imam ghalti se ek aisee rak'at mein qoonoot padh de jis mein qoonoot na ho ya ek aisee raka't mein jis mein tashahhud na ho ghalti se tashahhud padhne lage to maqtadi ko qoonoot aur tashahhud nahin padhna chahiye laikin woh Imam se pahle na ruku' mein ja sakta hai aur na Imam ke khada hone se pahle khada ho sakta hai balkeh zaruri hai keh Imam ke tashahhud aur qoonoot karne tak intezar kare aur baqi mande namaaz oos ke saath padhe.

Jama'at mein Imam aur Maqtadi ke fara'ez

1461. Agar maqtadi sirf ek mard ho to mustahab hai keh woh Imam ki da'een tarad khada ho aur agar ek aurat ho tab bhi mustahab hai keh da'een taraf khadi ho laikin zaruri hai keh Imam se kam az kam itnaa pichchhe khadi ho keh oos ke sajde karne ki jagah Imam se oos ke sajde ki halat mein do zano ke fasle par ho. Agar ek mard aur ek aurat ya ek mard aur chand auratein hon to moostahb hai keh mard Imam ki da'een taraf aur aurat ya auratein Ima ke pichchhe khadi hon. Agar chand mard aur ek ya chand auratein hon to mardon ka Imam ke pichchhe aur auraton ka mardon ke pichchhe khada hona mustahab hai.

1462. Agar Imam aur maqtadi dono auratein hon to ehteyaat-e-wajib yeh hai keh sab ek dusri ke barabar barabar khadi hon aur Imam maqtadion se aage na khadi ho.

1463. Mustahab yeh hai keh Imam saf ke darmiyan mein aage khada ho aur sahebaan 'ilm wa fazal aur taqwa pahli saf mein khade hon.

1464. Mustahab hai keh jama'at ki safein moonazzim hon aur jo ashkhas ek saf mein khade hon oon ke darmiyan fasla na ho aur oon ke kandhe ek dusre ke kandhon se mile huye hon.
1465. Mustahab hai keh "Qad qamatis sala" kahne ke b'ad maqtadi khade ho jayen.
1466. Mustahab hai keh Imam jama'at oos maqtadi ki halat ka lehaaz kare jo dasron se kamzor ho aur qoonoot aur ruku' aur sujood ko tool na de bajuz is surat keh oose 'ilm ho keh tamaam woh askhas jinhone oos ki iqteda ki hai tool dene ki janib ma'el hain.
1467. Mustahab hai keh Imam jama'at alhamd aur surah, mez buland awaaz se padhe jane waale azkar padhte huye apni awaaz ko itna buland kare keh dusre suoon saken laikin zaruri hai keh awaaz manasib had se zayada buland na kare.
1468. Agar Imam ko halat ruku' mein ma'loom ho jaye keh koi shakhs abhi abhi aaya hai aur iqteda karna chahta hai to mustahab hai keh ruku' ko ma'mool se do goona tool de de aur phir khada ho jaye khawah oose ma'loom ho jaye keh koi dasra shakhs bhi iqteda ke liye aaya hai.

Namaaz Jama'at ke makruhaat

1469. Agar jama'at ki safon mein jagah ho to ansaan ke liye tanhaa khada hona makruh hai.
1470. Maqtadi ka namaaz ke azkaar ko is tarah padhna keh Imam suoon le makruh hai.
1471. Jo moosaafir zohur, asr aur 'isha ki namaazein qasr kar ke padhta ho oos ke liye makruh hai keh oon namaazon mein aise shakhs ki aktqdaar kare jo moosaafir nahin hai aur hjo musafir na ho oos ke liye makruh hai keh oon namaazon mein kisi musafir ki iktedaa kare.

Namaz A'ayaat

1472. Namaaz a'ayaat jis ke padhne ka tareeqah b'ad mein bayaan hoga, teen cheezon ki wajah se wajib hoti hai :

(1) Suraj grahan

(2) Chaand grahan, agar che is ke chhe hisse ko hi grahan lage aur khawah insaan par is ki wajah se khauf bhi taari na hua ho.

(3) Zalzalah, ehteyaat-e-wajib ki bina par, agarche is se koi bhi khaufzada na hua ho.

Albatta baadalon ki garj, bijli ki karak, surkh wa sayah aandhi aur inhein jaisi dusri aasmaani nishaanian jin se aksar log khaufzada ho jayen aur isi tarah zameen ke hadsaat maslan zameen ka dhans janaa aur pahadon ka girna jin se aksar log khaufzada ho jaate hain in suraton mein bhi ehteyaat-e-mustahab ki bina par namaaz a'ayaat tark nahin karna chahiye.
1473. Jin cheezon ke liye namaaz a'ayaat padhna wajib hai agar woh ek se zayada waqu' pazeer ho jayen to zaruri hai keh insaan in mein se har ek ke liye ek namaaz a'ayaat padhe. Maslan suraj ko bhi grahan lag jaye aur zalzalah bhi aa jaye to dono ke liye do alag alag namaazein padhni zaruri hain.
1474. Agar kisi shakhs par kayee namaaz a'ayaat wajib hon khawah woh sab is par ek hi cheez ki wajah se wajib huyee hon, maslan suraj ko teen dafa' grahan laga ho aur is ne oos ki namaazein na padhi hon ya mukhtalif cheezon ki wajah se maslan suraj grahan aur chaand grahan aur zalzale ki wajah se oos par wajib huyee hon to oon ki qaza karte vaqt yeh zaruri nahin keh woh is baat ka yaqeen kare keh kaoon si qaza kaoon si cheez ke liye kar raha hai.
1475. Jin cheezon ke liye namaaz a'ayaat padhna wajib hai woh jis ilaaqe mein waqu' pazeer hon aur mahsoos ki jayen faqat oosi ilaaqe ke logon ke liye zaruri hai keh namaaz a'ayaat padhein aur dusre maqaamaat ke logon ke liye is ka padhna wajib nahin hai.
1476. Jab surag ya chaand grahan lagne lage to namaaz a'ayaat ka vaqt shuru' ho jata hai aur oos vaqt tak rahtaa hai jab tak woh apni sabqaa haalat par laut na aayen. Agar che baehtar yeh

hai keh itni taakheer na kare keh grahan khatm hone lage. Laikin namaaz a'ayaat ki takmeel suraj ya chaandi grahan khatm hone ke b'ad bhi kar sakte hain.
1477. Agar koi shakhs namaaz a'ayaat padhne mein itni takheer kar de keh chaand ya suraj grahan shuroo ho jaye to adaa ki niyyat karne mein koi harj nahin laikin agar oos ke mukammal taur par grahan se nikal jaane ke b'ad namaaz padhe to phir zaruri hai keh qaza ki niyyat kare.
1478. Agar chaand ya suraj ko grahan lagne ki muddat ek rak'at namaaz padhne ke barabar ya is se bhi kam ho to jo namaaz woh padh raha hai adaa hai aur yehi hukm hai agar in ke grahan ki muddat is se zayada ho laikin ansaan namaaz na padhe yahan tak keh grahan khatm hone mein ek rak'at padhne ke barabar ya is se kam vaqt baaqi ho.
1479. Jab kabhi zalzalah, baadalon ki garj, bijli ki karak aur isee jaisi cheezein waqu pazeer hon aur insaan ehteyaat karna chaahe to agar in ka vaqt was'ee ho to namaaz a'ayaat ko fauran padhna zaruri nahin hai basurat digar zalzalah ke jaisi cheezon mein zaruri hai keh fauran namaaz a'ayaat padhe ya'ni itni jaldi padhe keh logon ki nazron mein takheer karna shumaar na ho aur agar takheer kare to ehteyaat-e-mustahab yeh hai keh b'ad mein adaa aur qaza ki niyyat kiye baghair padhe.
1480. Agar kisi shakhs ko chaand ya suraj ko grahan lagne ka pata na chale aur oon ke grahan se baahar aane ke b'ad pata chale keh poore suraj ya poore chaand ko grahan laga thha to zaruri hai keh namaaz a'ayaat ki qaza kare. Laikin agar oose yeh pata chale keh kuchh hisse ko grahan laga thha to namaaz a'ayaat ki qaza oos par wajib nahin hai.
1481. Agar kuchh log yeh kahen keh chaand ko ye keh suraj ko grahan laga hai aur ansaan ko zaati taur par oon ke liye kahne se yaqeen ya itminaan haasil na ho is liye woh namaaz a'ayaat na padhe aur b'ad mein pata chale keh oonhonein thhik kaha thha to oos surat mein jabkeh poore chaand ko ya poore suraj ko grahan laga ho namaaz a'ayaat padhe laikin agar kuchh hisse ko grahan laga ho to namaaz a'ayaat ka padhna oos par wajib nahin hai aur yahi hukm is surat mein hai jeb keh woh aadmi jin ke a'adil hone ke baare mein 'ilm na ho yeh kahen keh chaand ko ya suraj ko grahan laga hai aur b'ad mein m'aloom ho keh woh a'adil thhe.
1482. Agar insaan ko maahereen falkiyaat ke kahne par jo 'ilmi qaayede ki rau se suraj ko aur chaand ko grahan lagne ka vaqt jaante hon itminaan ho jaye keh suraj ko ya chaand ko grahan laga hai to zaruri hai keh namaaz a'ayaat padhe aur isi tarah agar woh kahen keh suraj ya chaand ko falan vaqt grahan laga aur itni deir tak rahegaa aur insaan ko in ke kahne se itminaan haasil ho jaye to oon ke kahne par a'mal karna zaruri hai.
1483. Agar kisi shakhs ko 'ilm ho jaye keh chaand ya suraj ko grahan lagne ki wajah se jo namaaz a'ayaat oos ne padhi hai woh baatil thhi to zaruri hai keh dobaarah padhe aur agar vaqt guzar gayaa ho to oos ki qaza bajaa laye.
1484. Agar yawmiah namaaz ke vaqt namaaz a'ayaat bhi insaan par wajib ho jaye aur oos ke paas dono ke liye vaqt ho to job hi pahle padh le koi harj nahin hai aur agar dono mein se kisi ek ka vaqt tang ho to pahle woh namaaz padhe jis ka vaqt tang ho aur agar dono ka vaqt tang ho to zaruri hi keh pahle yawmiah namaaz padhe.
1485. Agar kisi shakhs ko yawmiah namaaz padhte huye 'ilm ho jaye keh namaaz a'ayaat ka vaqt tand hai aur yawmiah namaaz ka vaqt bhi tang ho to zaruri hai keh pahle yawmiah namaaz ko tamam kare aur b'ad mein namaaz a'ayaat padhe aur agar yawmiah namaaz ka vaqt tang na ho to oose tor de aur pahle namaaz a'ayaat aur oos ke b'ad yawmiah namaaz bajaa laye.
1486. Agar kisi shakhs ko namaaz a'ayaat padhte huye 'ilm ho jaye keh yawmia namaaz ka vaqt tang hai to zaruri hai keh namaaz a'ayaat ko chhodh de aur yawmiah namaaz padhne mein masshghool ho jaye aur yawmiah namaaz ko tamam karne ke b'ad is se pahle keh koi aisa kaam

kare jo namaaz ko baatil karta ho baaqi maandah namaaz a'ayaat wohin se padhe jahaan se chhodhi thhi.
1487. Jab aurat haiz ya nafaas ki haalat mein ho aur suraj ya chaand grahan lag jaye ya zalzalah aa jaye to oos par namaaz a'ayaat wajin nahin hai aur na hi oos ki qaza hai.

Namaaz A'ayaat padhne ka Tareeqa

1488. Namaaz a'ayaat do rak'ati hain aur har rak'at mein paanch ruku' hain. Iske padhne ka tareeqa yeh hai keh niyyat karne ke b'ad insaan takbeer kahe aur ek daf'a alhamd aur ek poora surah padhe aur ruku' mein jaye aur phir ruku' se sar uthha'e phir dobaarah ek daf'a alhamd aur ek poora surah padhe aur phir ruku' mein jaye. Is a'mal ko paanch daf'a anjaam dein aur paanchon ruku' se qayaam ki haalat mein aane ke b'ad do sajde bajaa laye aur phir uthh khade ho aur pahli rak'at ki tarah dusri rak'at bajaa laye aur tashahhud aur salaam padh kar namaaz tamam kare.
1489. Namaaz a'ayaat mein yeh bhi mumkin hai keh insaan niyyat karne aur takbeer aur alhamd padhne ke b'ad ek surah ki aa'yaton ke paanch hisse kare aur ek a'yat ya oos se kuchh zayada padhe balkeh ek a'yat se kam bhi padh sakta hai laikin ehteyaat ki bina par yeh zaruri hai keh mukammal jumla ho, surah ki ibtedaa se shuru kare aur bismellah kahne par iktefaa na kare aur is ke b'ad ruku' mein jaye aur phir khada ho jaye aur alhamd padhe baghair oose surah ka dasra hissa padhe aur ruku' mein j'ae aur isi tarah a'mal ko dohraata hai hatta keh paanchwein ruku' se pahle surah ko khatm kar de. Maslan **Surah Falaq** mein pahle **Bismillah hir Rehmaanir Rahim. Qul A'uzo be rabbil falaq.** Padhe aur ruku' mein jaye. Is ke b'ad khadea ho aur padhe **Min sharre Ma Khalaq.** Aur dobaarah ruku' mein jaye aur ruku' ke b'ad khada ho aur padhe **Wa min sharre ghaaseqin izaa waqab.** Phir ruku' mein jaye aur phir khada ho aur padhe **Wa min sharrin naffaasate fil o'qad.** Aur ruku' mein chala jaye aur phir khada ho jaye aur phir padhe **Wa min sharre haasedin izaa hasad.** Aur is ke b'ad paanchwein ruku' mein jaye aur (ruku' se) khada hone ke b'ad do sajde kare aur dusri rak'at bhi pahle rak'at ki tarah hisson mein taqseem kare laikin jis vaqt bhi surah khatm kare laazim hai keh b'ad waale ruku' se pahle alhamd padhe.
1490. Agar koi shakhs namaaz a'ayaat ki ek rak'at mein paanch daf'a alhamd aur surah padhe aur dusri rak'at mein ek daf'aq alhamd padhe aur surah ko paanch hisson mein taqseem kar de to koi harj nahin hai.
1491. Jo cheezein namaaz yawmiah mein wajib aur mustahab hain woh namaaz a'ayaat mein bhi wajib aur mustahab hain. Albatta agar namaaz a'ayaat jam'at ke sathh padhi ja rahi ho to azaan aur iqaamat ke bajaye teen daf'a bataur rajae "salwaat'' kaha jaye laikin agar yeh namaaz jam'at ke sathh na padhi ja rahi ho to kuchh kahne ki zarurat nahin. Albatta suraj ya chaand grahan ke a'alawa namaaz a'ayaat ka jam'at ke sathh padh janaa, sabir nahin hai keh shariat ne oos ki ijaazat de di.
1492. Namaa a'ayaat padhne waale ke liye mustahab hai keh ruku' se pahle aur oos ke b'ad takbeer kahe aur paanchwein aur daswein ruku' ke b'ad takbeer kahnaa mustahab nahin hai keh "same'a allahuleman hamedah" kahe.
1493. Dusre, chawthe, chhathe, aanthwein aur daswein ruku' se pahle qoonoot padhna mustahab hai aur agar qoonoot sirf daswein ruku' se pahle padh liya jaye tab bhi kaafi hai.
1494. Agar koi shakhs namaaz a'ayaat mein shak kare keh kitni rak'atein padhi hain aur kisi natize par na pohoonch sake to oos ki namaaz baatil hai.
1495. Agar (koi shakhs jo namaaz a'ayaat padh raha ho) shak kare keh woh pahli rak'at ke aakhri ruku' mein hai ya dusri rak'at ke pahle ruku' mein aur kisi natije par na pohoonch sake to

ooski namaaz baatil hai laikin agar misaal ke taur par shak kare keh chaar ruku’ bajaa layaa hai ya paanch aur oos ka yeh shak sajde mein jaane ke liye jhukne se pahle ho to jis ruku’ ke baare mein oose shak ho keh bajaa laya hai ya nahin oose adaa karna zaruri hai. Laikin agar sajde ke liye jhuk gayaa ho to zaruri hai keh apne shak ki parva na kare.
1496. Namaaz a’ayaat ka har ruku’ rukn hai aur agar in mein amuman kami ya beshi kare to namaaz baatil hai. Yahi hukm hai agar sahoon kami ho ya ehteyaat ki bina par zayada ho.

Eid Ul Fitr Aur Eid Qurban ki Namaaz
1497. Imam A’sr Alaihe salaam ke zamaane huzur mein Eid ul Fitr wa Eid ul Qurban ki namaaz wajib hain aur in ka jam’at ke saathh padhna zaruri hai. Laikin hamare zamaane mein jabkeh Imam Ghaibat mein hain, yeh namaazein mustahab hain aur jama’at wa faraada dono tarah padhi jaa sakti hain.
1498. Namaaz Eid ul Fitr wa Qurban ka vaqt Eid ke din tulu’ aaftab se zohur tak hai.
1499. Eid Qurban ki namaaz suraj chadh aane ke b’ad padhna mustahab hau aur Eid ul Fitr mein mustahab hai keh suraj chadh aane ke b’ad Iftaar kiya jaye, fitra diya jaye aur b’ad mein namaaz Eid adaa ki jaye.
1500. Eid ul Fitr wa Qurban ki namaaz do rak’at hai jis ki har rak’at mein alhamd wa surah ke b’ad teen takbeerein kahi jayein aur behtar hai keh pahli rak’at mein paanch takbeerein kahe aur har takbeeron ke darmiyaan ek qanoot padhe aur panchwi takbeer ke b’ad kek aur takbeer kahe aur ruku’ mein chala jaye aur phir do sade baja laye aur uthh khada ho aur dusri rak’at mein chaar takbeerein kahe aur har do takbeeron ke darmiyan qoonoot padhe aur chawthi takbeer ke b’ad ek aur takbeer kah kar ruku’ mein chala jaye aur ruku’ ke b’ad do sajde kare aur tashahhud padhe aur salam kah kar namaaz tamaam kar de.
1501. Eid ul fitr wa qurban ki namaaz ke qoonut mein jo dua aur zikr bhi padha jaye kafi hai laikin behtar hai keh yeh dua padhi jaye :
“Allahumma ahlal kibriya'i wal 'azamah, wa ahlal judi wal jaburat, wa ahlal 'afwi war rahmah, wa ahlat taqwa wal maghfirah. As aluka bihaqqi hazal yawmil lazi ja'altahu lil muslimina 'ida , wali Muhammadin sal lal lahu 'Alaihi wa Alihi, zukhran wa sharafan wa karamatan wa mazida an tusalliya 'ala Muhammad wa Ali Muhammad wa an tudkhilani fi kulli khayrin adkhalta fihi Muhammadan wa Ala Muhammad wa an tukhrijani min kulli su'in akhrajta minhu Muhammadan wa Ala Muhammad salawatuka 'alahi wa 'alahim. Alla humma inni as aluka khayra ma sa alaka bihi ibadukas salihoon, wa auzubika mim massta aza minhu ibadukal mukhlasoon”.
1502. Imam asr alaihe salaam ke zamaana ghaibat mein agar namaaz Eid ul Fitr wa Qurban jama’at se padhi jaye to ehteyaat-e-lazim hai keh oos ke b’ad do khutbe padhe jayen aur behtar yeh hai keh Eid ul fitr ke khutbe mein fitre ke ehkaam bayaan hon aur Eid Qurban ke khutbe mein qurbani ke ehkaam bayaan kiye jayen.
1503. Eid ki namaaz ke liye koi surah makhsus nahin hai laikin behtar hai keh pahli rak’at mein (alhamd ke b’ad) surah shams padha jaye aur dusri rak’at mein (alhamd ke b’ad) surah ghasiah padha jaye ya pahli rak’at mein surah a’ala aur dusri rak’at mein surah shams padha jaye.
1504. Namaaz Eid shara mein padhna mustahab hai laikin makkah makarramah mein mustahab hai keh massjid ul haraam mein padhi jaye.
1505. Mustahab hai keh namaaz Eid ke liye paidal aur pa bahraina aur bawaqaar taur par jayen aur namaaz se pahle ghoosl Karen aur safed amama sar par bandhe.

1506. Mustahab hai keh namaaz Edi mein zameen par sajda kiya jaye aur takbeerein kahte vaqt haton ko buland kiya jaye aur jo shakhs namaaz Eid padh raha ho khawah woh Imam jam'at ho ya farada namaaz padh raha ho, buland awaaz se padhe.
1507. Mustahab hai keh Eid ul fitr ki raat ko maghrib wa Isha ke b'ad aur Eid ul fitr ke din namaaz subah ke b'ad aur namaaz Eid ul fitr ke b'ad yeh takbeerein kahi jayen:
" Allaho Akbar Allahu akbar, La Ilaha Illallah wallaho akbar, Allahu akbar wallahul hamd, Allahu akbar a'la ma hadana."
1508. Eid Qurban mein das namaazon ke b'ad jin mein se pahli namaaz Eid ki namaaz zohur hai aur aakhiri barhwein tareekh ki namaaz subah hai oon takbeerat ka padhna mustahab hai jin ka zikr sabqa massle mein ho chukka hai aur in ke b'ad "Allahu Akbar a'la ma razaqna min behaimatal an'ama walhamdo a'la ma ab lana" padhna bhi mustahab hai laikin agar Eid qurban ke mauqe par insaan mina mein ho to mustahab hai keh yeh takbeerein pandhra namaazon ke b'ad padhe jin mein se pahli namaaz Eid ke din namaaz zohur hai aur akhiri 13th zil hajja ki namaaz subah hai.
1509. Ehteyaat musthab hai keh auratein namaaz Eid padhne ke liye na jayen laikin yeh ehteyaat umar rasheeda auraton ke liye nahin hai.
1510. Namaaz Eid mein bhi dusri namaazon ki tarah maqtadi ko chahiye keh alhamd aur surah ke al'awa namaaz ke azkaar khud padhe.
1511. Agar maqtadi oos vaqt pohoonche jab Imam namaaz ki kuchh takbeerein kah chuka ho to Imam ke ruku' mein jane ke b'ad zaruri hai keh jitni takbeerein aur qoonoot oos ne Imam ke saathh nahin padhin oonhein padhe aur agar har qoonoot mein ek daf'a " Subhanallahe wal hamdolillahe " kah de to kafi hai. Agar itna vaqt na ho to sirf takbeerein kahe aur agar itna vaqt bhi na ho to kafi hai keh matab'at karte huye ruku' mein chala jaye.
1512. Agar koi shakhs namaaz Eid mein oos vaqt pohoonche jab Imam ruku' mein ho to woh niyyat kar ke aur namaaz ki pahli takbeer kah kar ruku' mein ja sakta hai.
1513. Agar koi shakhs namaaz Edi mein ek sajda bhul jaye to zaruri hai keh namaaz ke b'ad oose baja laye . Is tarah agar koi aisa fael namaaz Eid mein sar zad ho jaye jis ke liye yawmiah namaaz mein sajda sahu lazim hai to namaaz Eid padhne waale ke liye zaruri hai keh do sajda sahu baja laye.
Namaaz ke liye ujrat banana
1514. Insan ke marne ke b'ad oon namaazon aur dusri ibadaton ke liye jo woh zindagi mein na baja laya ho kisi dusre shakhs ko ajeer banaya ja sakta hai y'ani woh namaazein oose ujrat de kar padhwohi ja sakti hain aur agar koi shakhs baghair ujrat liye oon namaazon aur dusri abadaton ko baja laye tab bhi sahi hai.
1515. Insan b'az moostahb kamon maslan haj wa umrah aur rauzah Rasool (sallallaho alaihe wa alehi wasallam) ya qabure A'imah alaihe salam ki zayarat ke liye zinda ashkhas ki taraf se ajeer ban sakta hai aur yeh bhi kar sakta hai keh mustahab kaam anjaam de kar oos ka sawab murda ya zinda ashkhas ko hadiah kar de.
1516. Jo shakha mayyat ki qaza namaaz ke liye ajeer bane oos ke liye zaruri hai keh ya to mujtahid ho ya namaaz ko sahi taqleed ke mutabiq sahi tareeqe par ada kare ya ehteyaat par amal kare bashart hai keh mawarid ehteyaat ko poori tarah se janta ho.
1517. Zaruri hai keh ajeer niyyat karte vaqt mayyat ko ma'een kare aur zaruri nahin keh mayyat ka naam janta ho balkeh agar niyyat kare keh main yeh namaaz oos shakhs ke liye pah raha hoon jis ke liye main ajeer hua hoon to kafi hai.

1518. Zaruri hai keh ajeer jo amal baja laye oos ke liye niyyat kare keh jo kuchh mayyat ke zimme hai woh baja la raha hoon aur agar ajeer koi amal anjam de aur sirf oos ka sawab mayyat ko hadiah kar de to yeh kafi nahin hai.
1519. Ajeer aise shakhs ko muqarrar karna zaruri hai jis ke baare mein itminan ho leh woh amal ko baja layega aur yeh ehtemal ho keh sahi naja layega.
1520. Jis shakhs ko mayyat ki namaazon ke liye ajeer banaya jaye agar oos ke baare mein pata chale keh woh a'mal ko baja nahin laya ya batil taur par baja laya hai to dobarah (kisi dusre shakhs ko) ajeer muqarrar karna zaruri hai.
1521. Jab koi shakhs shak kare keh ajeer ne amal anjam diya ya nahin agarche woh kahe keh main ne anjam de diya hai laikin oos ki baat par itminan na ho to ehteyaat-e-wajib ki bina par zaruri hai keh dobarah ajeer muqarrar kare. Agar shak kare keh oos ne sahi taur par anjam diya hai ya nahin to oose sahi samajh sakta hai.
1522. Jo shakhs koi azar rakhta ho maslan tayammum kar ke ya baithh kar namaaz padhta ho oose ehteyaat ki bina par mayyat ki namaazon ke liye ajeer bilkul muqarrar na kiya jayeagarche mayyat ki namaazein bhi isi tarah qaza hue hon. Han, aise shakhs ko ajeer muqarrar karne mein koi harj nahin jo wazue jabiha ya ghoosl jabiha kar ke namaaz padhta ho ya jis ka haath ya pa'on kata hua ho.
1523. Mard, aurat ki taraf se ajeer ban sakta hai aur aurat mard ki taraf se ajeer ban sakti hai. Jahan tak namaaz buland awaaz se padhne ka sawal hai to zaruri hai keh ajeer apne wazife ke mutabiq amal kare.
1524. Mayyat ki qaza namaazon mein tarteeb wajib nahin hai siw'ae oon namaazon ke jin ki ada'egi mein tarteeb hai. Maslan ek din ki namaaz zohur, asr ya maghrib wa isha jaisa keh pahle zikr ho chukka hai. Albatta agar oose is shart ke sathh ajeer banaya gaya ho keh mayyat ya oos ke wali ke mujtahid ke fatwe par amal kare aur woh tarteeb ko zaruri samjhta ho to tarteeb ka khayal rakhna zaruri hai.
1525. Agar ajeer ke sath tay kiya jaye keh amal ko ek makhsus tariqe se anjam dega to zaruri hai keh oos amal ko oosi tariqe se anjam de siwa'e is ke keh is tarh amal karne par amal ke batil hone ka yaqeen rakhta ho aur agar kuchh tay na hua ho to zaruri hai keh woh amal apne wazife ke mutabiq anjam de aur Ehteyaat moostahb yeh hei keh apne wazife aur mayyat ke wazife mein se job hi ehteyaat ke zayadah qareeb ho oos par amal kare. Maslan agar mayyat ka fariza tasbeehat arbi'a teen daf'a padhna thha aur oos ki apni zimmedari ek da'fa padhna ho to teen daf'a padhe.
1526. Agar ajeer ke sathh yeh tay kiya jaye keh namaaz ke mustahabat kis miqdar mein padhega to zaruri hai keh amumoon jitne mustahabat padhe jate hain oonhein baja laye.
1527. Agar insane mayyat ki qaza namaazon ke liye kayee ashkhas ko ajeet muqarrar kare to massla 1524 ke mutabiq zaruri nahin keh woh har ajeer ke liye vaqt mo'een kare.
1528. Agar koi shakhs ajeer bane keh mishal ke taur par ek saal mein mayyat ki namaazein padh dega aur saal khatm hone se pahle mar jaye to oon namaazon ke liye jin ke baare mein ilm ho keh woh baja nahin laya kisi aur shakhs ko ajeer muqarrar karna zaruri hai aur jin namaazon ke baare mein ehtemaal ho keh oonhein nahin baja laya ehteyaat-e-wajib ki bina par oon ke liye bhi ajeer muqarrar kia jaye.
1529. Jis shakhs ko mayyat ki qaza namaazon ke liye ajeer muqarrar kia ho aur oos ne oon sab namaazon ki ujrat bhi wasul kar li ho agar woh sari namaazein padhne se pahle mar jaye to agar oos ke sathh yeh tay kia gaya ho keh sari namaazein woh khud hi padhega to ujrat dene waale baqi namaazon ki tay shuda ujrat wapas le sakte hain ya ujara ko fasakh kar sakte hain aur oos ki ujrat almisal de sakte hain. Agar yeh tay na ho keh sari namaazein ajeer khud padhega to zaruri

hai keh ajeer ke warsa oos ke maal mein se baqi mandah namaazon ke liye kisi ko ajeer banaye laikin agar oos ne koi maal na chhoda ho to oos ke wirsa par kuchh bhi wajib nahin.

1530. Agar ajeer mayyat ki sab qaza namaazein padhne se pahle mar jaye aur oos ke apne zimme bhi qaza namaazein hon to massla sabqa mein jo tariqa bataya gaya hai oos par amal karne ke b'ad agar faut shuda ajeer ke maal se kuchh bache aur is surat mein jab keh oos ne wasiyat ki ho aur oos ke wirsa bhi ijazat dein to oos ki sab namaazon ke liye ajeer muqarrar kia ja sakta hai aur agar wirsa ijazat na dein to maal ka teesra hissa oos ki namaazon par sirf kia ja sakta hai.

Roze ke ehkaam

Roze se muraad yeh hai khuda ki khushnudi aur ooske aage izhaar-e-tazeel ke liye Azaan-e-subh se maghrib tak 8 cheezon se jo ba'd mein bayaan ki jaaeygi parhez karta hai.

Niyyat

1531. Insaan ke liye roze ki niyyat dil se guzaarna ya maslan yeh kehna "main kal roza rakhoonga"zaruri nahi balke ooska iraada karna kaafi hai ke woh baargaaahe ilaahi mein apni zillat ka izhaar ke liye Azaan-e-subh se maghrib tak koi aisa kaam nahi karega jisse roza baatil ho aur yeh yaqeen haasil karne ke liye oos tamaam vaqt mein woh roze se raha hai zaruri hai ke kuch deir Azaan-e-subh se pehle aur kuch deir maghrib ke ba'd bhi kaam karne se parhez kare jin se roza baatil hota hai.

1532. Insaan Ramadhan ki har raat ko oosse agle din ke roze ki niyyat kar sakta hai.

1533. Ramadhan mein roze ki niyyat ka aakhri vaqt ek aise shakhs ke liye jiski tawajjo ho,Azaan-e-subh se pehle ya'ni ehteyaat-e-waajib ki bina par zaruri hai ke azaan-e-subh ke vaqt jab woh parhez shuru kare to iraade ke saath ho chahe woh iraada na khud aagaah taur par ooske dil mein kahe maujood ho.

1534. Jis shakhs ne aisa koi kaam na kiya ho jo roze ko baatil kare to woh jis vaqt bhi din mein mustahab aur kaffara bhi oos par waajib hai.

1535. Jo shakhs Ramadhan ke rozo aur oosi tarah waajib rozon mein jinke din mo'yyin hain roze ki niyaat kiye baghair Azaan-e-subh se pehle so jaaye agar woh zohur se pehle bedaar ho jaaye aur roze ki niyyat karle to ooska roza sahi hai aur agar woh zohur ke ba'd bedaar ho to zaruri hai ke ehteyaat karte hur qurbate mutleqa ki niyyat se baaqi din khud ko roza baatil karne waali cheezon se bachaaye aur oos din ke roze ki Qaza bhi baja laaye.

1536. Agar koi shakhs Qaza ya kaffara ka roza rakhna chahe to zaruri hai ke oos roze ko mo'ayyin kare maslan niyyat kare ke main Qaza ya kaffara ka roza rakh raha hoon balke agar kisi ko 'ilm na ho ya bhool jaaye ke Ramadhan hai aur aur dusre roze ki niyyat kare tab bhi woh roza Ramadhan kaa roza shumaar hoga. Nazr aur oos jaise rozon mein nazr ki niyaat karna zaruri nahi.

1537. Agar koi shakhs jaanta ho ke yeh Ramadhan ka mahina hai aur jaan bhoojh ke Ramadhan ke roze ke al'awa kisi dusre roze ki niyyat kare to woh roza jiski oosne niyyat ki hai woh roza shumaar nahi hoga aur isi tarah Ramadhan ka roza shumaar bhi nahi hoga agar woh niyyat qasde manafi ho balke agar manafi na ho tab bhi ehteyaat ki bina par woh roza Ramadhan ka roza shumaar nahi hoga.

1538. Misaal ke taur par agar koi shakhs Ramadhan se pehle ki roze ki niyyat kare laikin ba'd mein ma'loom ho ke yeh dasra roza tha to ooska roza sahi hai.

1539. Agar koi shakhs Azaan-e-subh se pehle niyyat karne ke ba’d behosh ho jaaye phir oose din mein kisi vaqt hosh aa jaaye to ehteyaat-e-waajib ki bina par oos din ka roza tamaam kare aur agar tamaam na kare to oos din ki Qaza baj’a laaye.
1540. Agar koi shakhs Azaan-e-subh se pehle roze ki niyyat kare aur phir masst ho jaaye aur phir oose din mein kisi vaqt hosh aa jaaye to ehteyaat-e-waajib yeh hai ke woh oos din ka roza tamaam kare aur ooski Qaza bhi baj’a laaye.
1541. Agar koi shakhs Azaan-e-subh se pehle roze ki niyyat kare aur so jaaye aur maghrib ke ba’d bedaar ho to ooska roza sahi hai.
1542. Agar kisi shakhs ko ‘ilm na ho ya bhool jaaye ke Ramadhan hai ayur zohur se pehle oos amr ki jaanib mutawajjeh ho aur oos dauraan koi aisa kaam kar chukka ho jo roze ko baatil kar deta hai to ooska roza baatil hoga laikin zaruri hai ke maghrib tak koi aisa kaam na kare jo roze ko baatil karta hai aur Ramadhan ke ba’d roze ki Qaza bhi kare. Agar zohur ke ba’d mutawajjeh ho ke Ramadhan ka mahina hai to ehteyaat ki bina par raj’a roze ki niyyat kare aur Ramadhan ke ba’d ooski Qaza bhi kare aur agar zohur se pehle mutaawajjeh ho aur koi aisa kaam bhi na kiya ho jo roze ko baatil karta ho to zaruri hai ke roze ki niyat kare aur ooska roza sahi hai.
1543. Agar Ramadhan mein bachha Namaaz-e-Subh se pehle baaligh ho jaaye to zaruri hai ke woh roza rakhe aur agar Azaan-e-subh ke ba’d baaligh ho to oos din ka roza oos par waajib nahi hai. Laikin agar mustahab roza rakhne ka iraada kar liya hai to oos soorat mein ehteyaat-e-mustahab yeh hai ke oos roze ko poora kare.
1544. Jo shakhs mayyat ke roze rakhne ke liye ajeer bana ho ya ooske zimme kaffare ke roze ho, agar woh mustahab roze rakhe to koi harj nahi hai laikin agar Qaza roze kisi ke zimme ho to woh mustahab roze nahi rakh sakta aur agar bhool se mustahab roza rakh le to oos soorat mein agar zohur se pehle yaad aaye to ooska mustahab roze kal’adam ho jaata hai aur woh apni niyyat Qaza rozo ke jaanib mod sakta ha. Agar woh zohur ke ba’d mutawajjeh ho to ehteyaat ki bina par ooska roza baatil hai aur agar agar oose maghrib ke ba’d yaad aaye to ooska roza sahi hai.
1545. Agar Ramadhan ke roze ke al’awa koi dasra mo’yyin roza insaan par waajib ho , maslan oosne mannat mani ho ke ek muqarra’rah din mein roza rakhega aur jaan bhoojh ke Azaan-e-subh tak niyyyat na kare to ooska roza baatil hai aur agar oose ma’looom na ho ke oos din ka roza oospar waajib hai ya bhool jaaye aur zohur se pehle oose yaad aaye to agar oosne koi aisa kaam na kiya ho jisse roza baatil hota hai to roze ki niyyat karle to ooska roza sahi hai aur agar zohur ke ba’d yaad aaye to Ramadhan ke roze mein jis ehteyaat ka zikr kiya hai ooska khayaal rakhe.
1546. Agar koi shakhs kisi ghair mo’yyina waajib roze ke liye maslan roza-e-kafffarah ke liye zohur ke nazdeek tak amdan niyyat na kare to koi harj nahi hai balke agar niyyat se pehle mussamma iraada rakhta ho ke roza nahi rakhega ya muzabzib hoke roza rakhe ya na rakhe to agar oosne koi aisa kaam na kiya ho jo roze ko baatil karta ho aur zohur se pehle roze ki niyyat karle to ooska roza sahi hai.
1547. Agar koi kaafir Ramadhan mein zohur se pehle Musalmaan ho jaaye aur Azaan-e-subh se oos vaqt tak koi aisa kaam nahi kare jo roze ko baatil karta ho to ehteyaat-e-waajib ki bina par zaruri hai ke ma’fi al zimma ki niyaat se din ke aakhri tak roza baatil karne waale kaamo se parhez kare aur agar aisa na kare to oos din ki Qaza baj’a laaye.
1548. Agar koi bimaar shakhs Ramadhan ke kisi roze se pehle tandrust ho jaaye aur oosne oos vaqt tak koi aisa kaam na kiya ho jo roze ko baatil karta ho to ehteyaat-e-waajib ki bina par zaruri hai ke niyyat kare aur oos din ka roza rakhe aur zohur ke ba’d theek ho to oos din ka roza oospar waajib nahi. Albatta zaruri hai ke ooski Qaza kare.

1549. Jis din ke baare mein insaan ko shak ho ke Sh’abaan ki aakhri taarikh hai ya Ramadhan ki pehli, oos din ka roza rakhna insaan par waajib nahi hai aur agar roza rakhna chahe to Ramadhan ki niyyat nahi kar sakta laikin niyyat kare ke agar Ramadhan hai to Ramadhan ka roza aur agar Ramadhan nahi hai to Qaza roza ya oosi jaisa koi aur roza hai to ba’eed nahi hai ke ooska roza sahi ho laikin behtar hai ke Qaza roze waghairah ki niyyat kare aur agar ba’d mein pata chale ke Ramadhan tha to Ramadhan ka roza shumaar hoga laikin agar niyyat sirf roze ki kare aur ba’d mein m’aloom ho ke ramadhan tha tab bhi kaafi hai.
1550. Agar kisi din ke baare mein insaan ko shak ho ke Sh’abaan ki aakhri taarikh hai ya Ramadhan ki pehli taarikh aur Qaza ya mustahab ya aise hi kisi roze ki niyyat kare aur roza rakhe aur din mein kisi vaqt pata chale ke Ramadhan hai to zaruri hai ke Ramadhan ke roze ki niyyat kar le.
1551. Agar kisi mo’ayyin waajib roze ke baare mein maslan Ramadhan ke roze ke baare mein insaan mazbazab ho ke apne roze ko baatil kare ya na kare ya roze ko baatil karne ka qasd kare to agar dobaara roze ki niyyat na kare to ooska roza baatil ho jaata hai aur agar dobara roze ki niyyat kar leta hai to ehteyaat-e-waajib ki bina par oos din ka roza poora kare aur ba’d mein ooski Qaza kare.
1552. Agar koi shakhs jo mustahab roza ya aisa waajib roza maslan kaffare ka roza rakhe hue ho jiska vaqt mo’yyin na ho kisi aise kaam ka qasad kare jo roze ko baatil karta ho ya mazbazab ho ke koi aisa kaam kare ya na kare to agar woh koi aisa kaam na kare aur aur waajib roze mein zohur se pehle aur mustahab roze mein ghuroob-e-Aaftaab se pehle dobara roze ki niyyat karle to ooska roza sahi hai

Mubtelaat-e-Roza

1553. 8 cheezein roze ko baatil kar deti hain:

(1) Khaana aur peena
(2) Jama’a karna
(3) Istimna- ya’ni mard apne saath ya kisi dusre zariye se jam’a ke al’awa koi aisa f’ael kare jiska natije mein mani khaarij ho-Aurton mein iski kaifiyat ka tazkerah massla no345 mein ho chuka hai.
(4) Khuda t’ala, Pyghambar-e-Akram (s.a.w.s) aur oonke janasheeno se ehteyaat-e-waajib ki bina par jhooti baat mansoob karna.
(5) Ghubaar halq tak pohoonchaana ehteyaat-e-waajib ki bina par
(6) Azaan-e-subh tak janabat, haiz ya nifaas ki haalat mein baaqi rehna.
(7) kisi sayaak cheez ka haqana (anaema)karna
(8) Qay karna

In mubtelaat ke tafseeeli ehkaam a’endah massa’el mein bayaan kiye jaayenge.

1. Khaana aur peena.

1554. Agar rozedaar is amr ki jaanib muttawajjeh hote hue ke roze se hai koi cheez jaan bhoojh kar kha ya pee jaaye to ooska roza baatil ho jaata hai,qata-e-nazar oosse ke woh cheez aisi ho jise amooman khaya ya peeya jaata ho maslan Roti aur Paani ya aisi cheez ho jise amooman kahaya ya peeya na jaata ho maslan Mitti aur Darakht ka shira,aur khwha kam ho ya zyaada hatta ki agar rozedaar toothbrush muh se nikaal le aur dobaara muh mein le jaaye aur ooski tari nigal le tab bhi roza baatil ho jaata hai siwaaye is ssorat ke ooski tari-e-lo’aab dehen mein ghul mil kar is tarah khatm ho jaaye ke oose berooni tari na kaha jaa sake.

1555. Jab rozedaar khana kha raha ho agar ose ma'loom ho jaaye ke subha ho gayi hai to zaruri hai ke jo lukma muh mein ho oose ogal deaur agar jaan bhoojh ke luqma oogal le to ooska roza baatil hai aur is hukm ke mutabiq jiska zikr ba'd mein hoga ooska kaffarah bhi waajib hai.
1556. Agar rozedaar ghalti se koi cheez kha ya pee le to ooska roza baatil nahi hota.
1557. Injection aur Drip se roza baatil nahi hota, chahe injection taqwiyat pohoonchaane wala aur drip glucose wagahirah hi ki kyoon na ho.Dame ki bimaari mein istemaal hone waala spray agar dawa ko sirf phepdo tak pohoonchaaye to oose bhi roza batil nahi hota.Isi tarah aakh aur kaan mein dawa daalne se roza baatil nahi hota chahe ooska zeka gale mein mehsoos ho Naak mein daalne waali dawa agar gale tak na pohoonche to os se roza baatil nahi hota .
1558. Agar rozedaar daato ki rakhto mein pasi hui koi cheez amdan nigal le to ooska roza baatil ha jaata hai.
1559. Jo shakhs roza rakhna chataho ooske liye Azaan-e-subh se pehle daato mein khelaal karna zaruri nahi hai laikin agar oose 'ilm ho ke jo ghiza daato ke rekhto mein reh gayi hai woh din ke vaqt pet mein chali jaayegi to khelaal karna zaruri hai.
1560. Muh ka paani nigalne se roza baatil nahi hota khawah tarshi waghairah ke tasawwur se muh mein paani kyoon na aaya ho.
1561. Sar aur seene ka balgham jab tak muh ke andar waale hisse tak na pohoonche oose nigalne mein koi harj nahi hai laikin agar woh muh mein aa jaye to ehteyaat-e-mustahab yeh hai ke oose na nigale.
1562. Agar rozedaar ko itni pyaas lag eke oose pyaas se mar jaane ka khauff ho jaaye ya oose nuksaan ka andesha ho ya itni sakhti oothna pade jo ooske liye naqaabil-e-bardaasht ho to itna paani pee sakta hai ke oon oomur ka khauff khatm ho jaye balke agar maut auto on jaisi cheezon ka khauff ho to paani peena waajib hail akin ooska roza baatil ho jaayegaa aur agar ranzaan ho to ehteyaat-e-laazim ki bina par zaruri hai ke oosse zyaada paani na piye aur din ke baaqi hisse mein woh kaam karne se parhez kare jisse roza baatil hota hai.
1563. Bacche ya parinde ko khilaane ke liye ghiza ka chabaana ya ghiza ka chakhna aur isi tarah ke kaam karna jis mein ghiza amuman halq tak nahi pohoonchti khawah woh ittefaqan halq tak pohoonch jaye to roze ko baatil nahi karti.Laikin agar insaan shuruu se jaanta ho ke yeh ghiza halq tak pohoonch jaaye gi to roza baatil ho jaata hai aur zaruri hai ke ooski qaza ba'ja laaye.
1564. Insaan kamzori aur naqahiat ki wajah se roza nahi chod sakta laikin kamzori is had tak ho ke amuman bardaasht na ho sake to phir roza chodne mein koi harj nahi hai.

2. Jama'a

1565. Jama'a roze ko baatil kar deta hai khawah azu tanasil tak hi daakhil ho aur mani bhi khaarij nahi hui ho.
1566. Agar aale tansasil supaari se kam daakhil hui ho aur mani bhi khaarij nahi hui hi to roza baatil nahi hotalaikin jis shakhs ki khatnagaah na ho oosse kam miqdaaar bhi daakhil kare to ooska roza baatil ho jaayega.
1567. Agar koi shakhs amdan Jama'a ka iraada kare aur phir shak kare ke supaari barabar dakhul hua tha ya nahi to ooska hukm massla no.1551 ko dekh kar ma'loom kiya jaa sakta hai.Albatta agar roza baatil karne waala kaam anjaam na diya ho to kisi bhi soorat mein kaffara waajib nahi hota.
1568. Agar koi shakhs bhool jaaye ke roze se hai aur Jama'a kare ya oose oose Jama'a par is tarah majboor kiya jaaye ke ooska ikhteyaar baaqi na rahe to ooska roza baatil na hoga albaatta agar Jama'a ki haalat mein oose yaad aa jaaye ki roze se hai ya majboori khatm ho jaaye to zaruri hai ke fuaran jam'a tark kar de aur agar aisa na kare to ooska roza baatil hai.

3. Istimna

1569. Agar rozedaar ikare (istimna ke maane massla no.1553 mein bataye jaa chuke hain)to ooska roza baatil hota hai.

1570. Agar beikhteyaari ki halat mein kisi ki mani khaarij ho jaaye to ooska roza baatil nahi hai.

1571. Agar rozedaar ko yeh 'ilm ho ke agar din mein soye gaa to oose ehtelaam ho jaaye gaa ya'ni sote mein ooski mani kharij ho jaayegi tab bhi ooske liye soona jayez hai khawah na soone ki wajah se oose koi takleef na bhi ho aur agar oose ehtelaam ho jaaye to ooska roza baatil nahi hota.

1572. Agar rozedaar mani kharij hote vaqt neend se bedaar ho jaaye to oospar waajib nahi ke mani nikalne se roke.

1573. Jis rozedaar ko ehtelaam ho gaya ho woh peshaab kar sakta hai khawah oose yeh 'ilm ho ke peshaab karne se baaqi maandah mani nali se baahar aa jaayegi.

1574. Jab rozedaar ko ehtelaam ho jaaye, agar oose ma'loom ho jaaye ke mani nali mein reh gayi hai aur agar ghusl se pehle peshaab nahi karega to ghusl ke ba'd mani ooske jism se kharij hogi to ehteyaat-e-mustahab yeh hai ke ghusl se pehle peshaab kare.

1575. Jo shakhs mani nikalne ke iraade se ched chaad aur dil lagi kare laikin ooski mani na nikle to agar dobara roze ki niyyat na kare to ooska roza baatil hai aur agar dobara roze ki niyyat kar le to ehteyaat-e-laazim ki bina par zaruri hai ke roze ko tamaam kare aur ooski qaza bhi baj'aa laaye.

1576. Agar rozedaar mani nikaalne ke iraade ke baghair misaal ke taur par apni biwi se ched chaad kare aur hasi mazaak kare aur oose itmenaan ho ke mani kharij nahi hogi to agarche ittefaqan mani kharij ho gayi jaaye, ooska roza sahi hai.Albatta agar oose itmenaan na ho to oos soorat mein jab mani kharij ho gayi to ooska roza baatil ho jaayegaa.

4. Khuda aur Rasul(s.a.w.s)par bohtaan baandhna

1577. Agar rozedaar zabaan se ya likh kar ya ishaare se ya kisi aur tariqe se Alah Ta'ala ya Rasul-e-Akram(s.a.w.s)ya Aimmah(a.s) mein se kisi ko jaan bhoojh se koi jhoot baat mansub kare to agarche woh fauran keh de ke maine jhoot kaha tha ya tauba kare tab bhi ehteyaat-e-laazim ki bina par ooska roza baatil ho jaata hai aur ehteyaat-e-mustahab ki bina par Hazrat Fatematuz Zehra (s.a) aur tamaam Ambiya uar Mursaleen aur oonke jaanashino se bhi koi jhoot baat mansub karne ka yahi hukm hai.

1578. Agarche (rozedaar) koi aisi riwaayat nakl karna chaahe jiski qatayi hone ki daleel na ho aur ooske baare mein oose 'ilm na ho ke sach hai ya jhoot to ehteyaat-e-waajib ki binapar zaruri hai ke oose nakl karte hue bayaan kare aur pyghambar-e-Akram aur Aimmah se bela waasta taur par nisbat na de

1579. Agar (rozedaar)kisi cheez ke baare mein iqtedaar rakhta ho ke woh waqeyi qaul-e-khuda ya qaul-pygahmbar-eAkram (s.a.w.s) hai aur oose Allah Ta'ala aur Pyghambar-e-Akram(s.a.w.s) se mansub kare aur ba'd mein m'aloom chale ke yeh jhoot tha to ooska roza baatil nahi hoga.

1580. Agar rozedaar kisi cheez ke baare mein yeh jaante hue ke jhoot hai, oose Allah aur Rasul-eAkram (s.a.w.s) se mansub kare aur ba'd mein oose pata chale ke jo kuch bhi oosne kaha tha woh durust tha, agar oose m'aloom tha ke yeh kaam roze ko baatil kar deta hai to ehteyaat-e-laazim ki bina par zaruri hai ke roze ko tamaam kare aur ooski qaza bhi baj'a laaye.

1581. Agar rozedaar kisi aise jhoot ko jo khud rozedaar ne nahi balke kisi dusre ne ghada ho jaan bhoojh ke Allaah Ta'ala ya Rasul-akram (s.a.ws.) se mansub kar de to ehteyaat-e-laazim ki

bina par ooska roza baatil ho jaayega. Laikin agar jisne jhoot ghada ho ooska qaul nakl kare to koi harj nahi .

1582. Agar rozedaar se koi sawaal kare ke kya Rasul (s.a.w.s) ne aisa farmaaya hai aur woh amdan jahan jawaab nahi dena chahiye wahan asbaat mein de jahan asbaat mein dena chaihiye wahan amdan nafi mein jawaab de to ehteyaat-e-laazim ki bina par ooska roza baatil ho jaata hai.

1583. Agar koi shakhs Allah Ta'ala ya Rasul (s.a.w.s) ka qaul durust nakl kare aur ba'd mein kahe ke maine jhoot kaha hai ya raat mein koi jhoot baat oonse mansub kare aur dusre din jabke roza rakha hua ho kahe ke jo kuch maine guzishta raat ko kaha tha woh durust hai to ehteyaat ki bina par ooska roza baatil hota hai. Siwaye iske ke woh oos baat ki oosi vaqt ki kaifiyat ki itelaa de raha ho.

5. Ghubaar ko halq tak pohoonchaana

1584. Ehteyaat-e-waajib ki bina par ghaade ghubaar ka halq tak pohoonchna roze ko batil kar deta hai khawah ghubaar kis aisi cheez ka ho jika khan halaal ho maslan aata ya kisi aisi cheez ka jiska khaana haraam ho maslan mitti.

1585. Ghair kasafat ghubaar (jo ghubaar ghaada na ho) halq tak pohoonchane se roza baatil ho jaata hai

1586. Agar hawa ki wajah se kasafate ghubaar paida ho aur insaan mutawajjeh hone uar ehteyaat kar sakne ke bawajood ehteyaat na kare aur ghubaar ooske halq tak pohoonch jaaye to ehteyaat-e-waajib ki bina par ooska roza baatil ho jaata hai.

1587. Ehteyaat-e-waajib yeh hai ke rozedaar cigratte aut tambaaku wagahira ka dhuaa halq tak na pohchahye.

1588. Agar insaan ehteyaat na kare aur dhuaa ya gubar halq tak chala jaaye agar oose yaqeen aur itmeenaan tha key eh cheez halq mein na pohoonchegi to ooska roza sahi hai laikin agar gumaan tha ke yeh halq tak nahi pohoonchegi to behtar yeh hai ke oos roze ki qaza baj'a laaye.

1589. Agar koi shakhs yeh bhool jaane par ke roze se hai ehteyaat na kare ya beikhteyaari ghubaar wagairah ooske halq mein pohoonch jaaye to ooska roza baatil nahi hota.

1590. Poora sar paani mein dubone se roza baatil nahi hota laikin yeh shadeed makruh hai.

6. Azaan-e-subh tak Janabat, Haiz aur Nifaas ki haalat mein rehna

1591. Agar joonub shakhs Ramadhan mein jaan bhoojh ke azaan-e-subh tak ghusl na kare ya jis shakhs ka fariza tayyamum ho aur woh jaan bhoojh ke tayyamum na kare to zaruri hai ke oos din ka roza poora kare aur aur phir ek din aur roza rakhe aur choonki yeh tey nahi hai ke yeh dasra roza qaza hai ya saza hai lehaaza Ramadhan ka oos din ka bhi roza maafi zimme ki niyyat se rakhe aur Ramadhan ke ba'd bhi jis din roza rakhe aur ooski qaza ki niyyat kare.

1592. Jo shakhs Ramadhan ke roze ki qaza karna chahta ho, agar jaan bhoojh kar subh ki azaan tak joonub rahe to oos din ka roza nahi rakh sakta. Haan! agar jaan bhooj kar na ho to rakh sakta hai. Agarche ehteyaat yeh hai ke oose tarq kar de.

1593. Jab joonub shakhs Ramadhan ke rozo aur oonki qaza ke al'awa kisi bhi mustahab roze mein jaan bhooj kar Azaan-e-subh tak ghusl na klare to oos din ka roza rakh sakta hai.

1594. Agar koi shakhs Ramzan ki kisi raat mein joonub ho jaaye agar woh amdan ghusl na kare hatta ke vaqt ang ho jaaye to zaruri hai ke tayyamum kare aur roza rakhe aur ooska roza sahi hai.

1595. Agar jnub shakhs Ramadhan mein ghusl karna bhool jaaye aur ek din ke ba'd oose yaad aayeto zaruri hai ke oos din ke roze ki qaza kare aur agar chand dino ke ba'd yad aye to ootne dino ki qaza kare jitne dino ke baare mein oose yaqeen ho ke woh joonub tha maslan agar oose

yeh ‘ilm na ho ke woh teen din joonub raha ho ya char din to zaruri hai ke teen dino ke rozo ki qaza kare.

1596. Agar ek aisa shakhs apne aap ko joonub karle jiske paas Ramadhan ki raat mein ghusl aur tayyamum mein se kisi ke liye bhi vaqt na ho to ooska roza baatil hai aur oospar qaza kaffara dono waajib hai.

1597. Jo shakhs janta ho ke ooske paas ghusl karne ke liye vaqt nahi haiaur khud ko joonub karle aur phir tayyamum karle ya vaqt hone ke bawjood jaan bhooj kar ghusl karne mein itni taakheer kare ke vaqt tang ho jaaye aur tayyamum kare to agarche goonaahgaar hai laikin ooska roza sahi hai.

1598. Jo shakhs Ramadhan ki raat mein joonub ho aur jaanta hai ke agar soegaa to bedaar nahi hoga to ehteyaat-e-waajib ki bina par oose baghair ghusl ke nahi sona chahiye aur agar woh ghusl karne se pehle apni marzi se so jaaye aur subh tak bedaar na ho to ooska roza baatil hai aur qaza aur kaffara dono oospar wajib hai.

1599. Jab joonub Ramadhan ki raat mein so kar jag uuthe aur is baat ka ehtemaal ho ke agar dobaar so gaya to subh ki azaan se pehle bedaar ho jaayega to woh dobara so sakta hai.

1600. Agar koi shakhs Ramadhan ki kisi raat ko joonub ho jaaye aur woh yaqeen ya itminaan rakhta ho ke agar so gaya to subh ki azaan se pehle bedaar ho jaayega aur ooska musmam iraad ho ke bedaar hone ke ba’d ghusl karega aur oosi iraade ke saath so jaaye aur azaan tak sota rahe to ooska roza sahi hai.

1601. Agar koi shakhs Ramadhan ki kisi ek raat ko joonub ho aur oose itminaan na ho ke agar so gaya to subh ki azaan se pehle bedaar ho jaayegaa aur woh is baat se ghaafil ho keh bedaar hone ke ba’d oospar ghusl karna zaruri hai to oos soorat mein jabki woh so jaaye aur subh ki azaan tak so raha ho to ooska roza sahi hai.

1602. Agar koi shakhs Ramzan ki kisi raat mein joonub ho aur oose yaqeen ya ehtemaal is baat ka ho ke agar woh so gaya to subh ki azaan se pehle bedaar ho jaayega aur woh bedaar hone ke ba’d ghusl na karna chaahta ho to iis soorat mein jabki woh so jaaye aur bedaar na ho to zaruri hai ke oos din ka roza muqammal kare aur qaza aur kaffara ooske liye laazim hai. Isi tarah agar iis taraddud mein ho ke bedaar hone ke ba’d ghusl kare ya na kare to ehteyaat-e-laazim ki bina par bhi yahi hukm hai

1603. Agar joonub shakhs Ramadhan ki kisi raat mein so kar jag uuthe aur oose yaqeen ho ya iis baat ka ehtemaal ho ke gar so gaya to azaan-e-subh se pehle bedaaar ho jaayegaa aur woh musammam iraada bhi rakhta ho ke bedaar hone ke ba’d ghusl karega aur woh dobaaar so jaye aur azaan-e-subh tak bedaar na ho to zaruri hai ke oos din ke roze ki qaza kare aur agar dusri neend se bedaar ho jaaye aur teesri dafa so jaaye aur subh ki azaan tak bedaar na ho to zaruri hai ke oos din ki roze ki qaza kare aur ehteyaat-e-mustahab ki bina par kaffara bhi de.

1604. Jis neend mein insaan ko ehtelaam ho woh pehli neend samhji jayegi lehaza agar ek baar bedar hone ke ba’d soye aur subh ki azaan tak bedaar na ho to jaisa ki pichhle massle mein bataya gaya hai zaruri hai keh oos din ka roza qaza kare.

1605. Agar kisi roze daar ko din mein ehtelam ho jaaye to oospar fauran ghusl karna waajib nahi.

1606. Agar koi shakhs Ramadhan mein subh ki namaaz ke ba’d jaage aur yeh dekhe ke oose ehtelaam ho gaya hai to agar che oose m’aloom ho ke yeh ehtelaam azaan se pehle hua hai ooska roza sahi hai.

1607. Jo shakhs Ramadhan ke qaza roze rakhna chahta ho agar woh subh ki azaan ke ba’d bedaar ho aur dekhe ke oose ehtelaam ho gaya hai aur jaanta hai ke yeh ehtelam oose azaan-e-subh se pahle hua hai to oos din ramadhan ke roze ki qaza ki niyyat se roza rakh sakta hai.

1608. Agar Ramadhan ke rozo mein Aurat subh se pehle Haiz ya Nifaas se paak ho jaaye Aur amdan ghusl na kare ya ooska fariza tayyamum karna ho aur woh tayyamum na kare to zaruri hai ke oos din ke roze ko poora kare aur ooski qaza bhi kare. Ramadhan ki qaza agar jaan bhoojh ke ghusl ya tayyamum na kare to ehteyaat-e-waajib ki bina par woh oos din ka roza nahi rakh sakti .
1609. Jo aurat Ramadhan ki shab mein haiz ya Nifaas se paak ho jaaye, agar jaan bhoojh ke ghusl na kare yahan tak ke vaqt tang ho jaaye, to zaruri hai ke tayyamum kare aur ooska oos din ka roza sahi hai.
1610. Agar koi aurat Ramadhan mein subh ki azaan se pehle Haiz ya nifaas se paak ho jaaye aur ghusl ke liye vaqt na ho to zaruri hai keh tayyamum kare aur subh ki azaan tak bedaar rehna zaruri nahi ha. Jis joonub shakhs ka fariza tayyamum ho ooske liye bhi yahi hukm hai.
1531. Agar koi aurat haiz ya nifaas ke khoon se subh ki azaan ke ba'd paak ho jaaye aur ooske ghusl ya tayyamum mein se kis ka bhi vaqt naho to ooska roza sahi hai.
1532. Agar koi aurat subh ki azaan ke ba'd haiz ya nifaas ke khoon se paak ho jaaye ya din mein oose haiz ya nifaas ka khoon aa jaaye to agarche yeh khoon maghrib ke qareeb hi kyoon na aaye ooska roza baatil hai.
1533. Agar aurat haiz ya nifaas ka ghusl karna bhool jaaye aur oose ek din ya kayi din ba'd yaad aaye to jo roze oosne rakhe hain woh sahi hain.
1534. Agar aurat Ramadhan mein subh ki azaan se pahle haiz ya nifaas se paak ho jaaye aur ghusl karne mein kotaahi kare aur azaan-e-subh tak ghusl na kare aur vaqt tang hone ki suurat mein tayyamum bhi na kare to jaise ke guzar chuuka hai, zaruri hai ke oos din ka roza poora kare aur qaza bhi kare laikin agar kotahi na kare maslan moontazir ho ke zanana hamaam mayyasar aa jaaye khawah oos muddat mein woh teen dafa' soye aur azaan-e-subh tak ghusl na kare aur tayyamum karne mein bhi kotahi kare to ooska roza sahi hai.
1535. Jo aurat Istehaza-e-kaseera ki haalat mein ho agar woh apne ghuslon ko oos tafseel ke saath na ba'ja laaye jis ka zikr massla no. 396 mein kiya gaya hai to ooska roza sahi hai. Aise hi Istehaza-e-mutawasta mein agarche aurat ghusl bhi na kare to ooska roza sahi hai.
1536. Jis shakhs ne mayyat ko mass kiya ho ya'ni apne badan ka koi hissa mayyat se mass kiya ho woh ghusl-e-massse mayyat ke baghair roza rakh sakta hai aur agar roze ki haalat mein bhi mayyat ko mass kare to ooska roza baatil nahi.

7. Haqna lena

1537. Sayaal cheez se haqna (enaema) agarche ba amr-e-majboori aur ilaaj ki garz se liya jaaye to roze ko baatil kar deta hai.

8. Qay karna

1538. Agar rozedaar jaan bhoojh ke qay kare aur agarche woh bimaari ki wajah se aisa karne par majboor ho ooska roza baatil ho jaata hai agar sehwan ya beikhtayaar ho kar kare to koi harj nahi hai.
1539. Agarche koi shakhs jaanbhoojh ke koi aisi cheez kha le jiske baare mein oose ma'loom ho ke ooske khaane ki wajah se din mein beikhtayaar qay aayegi to ooska roza sahi hai
1540. Agar rozedaar qay rok sakta hai jabkeh oose tabayi nizaam ki tehet hi qay aa rahi ho to oose rokna zaruri nahi.
1541. Agar rozedaar ke halq mein makhkhi chali gayi hai choonanche woh halq mein itni andar chali gayi ho ke ooske nigalne ko khaana na kaha jaaye to zaruri nahi ke oose bahar nikaala jaaye aur ooska roza shai hai. Laikin agar makkhi kaafi had tak andar na gayi ho to zaruri hai ke oose baahar nikaale agarche oose qay karke hi nikaalna pade . Magar yeh ke qay karne mein

rozedaar ko zar aur shadeed takleef ho aur agar woh qay na kare aur oose nigal le to ooska roza baatil ho jaayega aur agar oose qay kar ke nikaal le to bhi ooska roza baatil ho jaayega.
1542. Agar rozedaar sehwan koi chez nigal le aur oose paet mein pohoonchne se pahle oose yaad aye ke roze se hai, choonanche agar woh cheez itni niche jaa chuki hai ke ooske mede tak pohoonch jaane dene ko khana na kaha jaaye to oos cheez ka nikaalna laazim nahi hai aur ooska roza sahi hai.
1543. Agar kisi rozedaar ko yaqeen ho ke dakaar lene ki wajah se koi cheez ooske halq se baahar aa jaayegi, choonanche agar oose qay karna kaha bhi jaa sake to zaruri hai ke jaan bhoojh ke dakaar na le. Laikin agar oose yaqeen na ho to koi harj nahi hai.
1544. Agar rozedaaar dakaar le aur koi cheez ooske halq ya muh mein aa jaaye to zaruri hai ke oose uugal de aur agar woh chez beikhtiyaar paet mein chali jaaye to ooska roza sahi hai.

Oon cheezon ke ehkaam jo roze ko baatil karti hain

1545. Agar insaan jaan bhooj ke aur ikhtayaar ke sath koi aisa kaam kare jo baatil karta ho to ooska roza baatil ho jaata hai aur agar aisa koi kaam jaanbhoojh ke na kare to phir koi ishkaal nahi hai laikin agar joonub so jaaye aur ooski tafseel ke mutabiq jo massla no 1602 mein bayaan ki gayi hai subh ki azaan tak ghusl na kare to ooska roza baatil hai. Chunanche agar insaan na jaanta ho ke jo baate batayi gayi hain oon mein se ba'az roze ko baatil karti hain jabkeh na woh jaahil kaasir ho aur na hi kisi kism ke tarraddud mein hoya ke shar'ii hujjat par a'itmaad rakhta ho aur khaane peene mein jama'a ke alawa oon af'aal mein se kisi fa'el ko anjaam de to ooska roza batil nahi hota.
1546. Agar rozedaar sehwan koi aisa kaam kare jo roze ko baatil karta hai aur yeh samjhe hue ke oaska roza baatil ho gaya hai dobara amdan koi aisa hi kaam kare to pichle massle mein bayaan shuda hukm ooos par jaari hoga.
1547. Agar koi cheez zabardasti rozedaar ki halq mein uoondeil di jaaye to ooska roza baatil nahi hota. Laikin agar oose majboor kiya jaaye ke apne rozon ko khaana, peene ya Jama'a ke zariye baatil kare, maslan oose kaha jaaye ke agar tum ghiza nahi khaaoge to hum tumhe maali ya jaani nuqsaan pohoonchayenge aur woh nuqsaan se bachne keliye apne aap kuch kha leto ooska roza baatil ho jaayega aur oon teeno cheezon ke al'awa bhi ehtayaat ki bina par roza baatil ho jaayega.
1548. Rozedaar ko koi aisi jagah nahi jana chahiye jis ke baare mein woh jaanta ho ke log koi cheez ooske muh mein daal denge ya oose roza todne par majboor karenge aur agar aisi jagah jaaye ya ba amr-e-majboori woh khud koi aisa kaam kare jo roze ko baatil karta ho to ooska roza baatil ho jaata hai. Agar koi cheez ooske halq mein uoondeil de to ehtayaat-e-laazim ki bina par bhi yahi hukm hai.

Woh cheezein jo rozedaar ke liye makruh hain

1549. Rozedaar ke liye kuch cheezein makruh hai aur oon mein se kuch yeh hai.
(1) Aakh mein dawa daalna aur surma lagaana jabke ooska maza ya boo halq mein pohoonche.
(2) Har oos kaam jo majboori ka ba'es ho maslan khoon dena ya hamaam jaana.
(3) Naak mein dawa daalna jabke yeh 'ilm na ho ke halq tak pohoonchegi aur agar yeh 'ilm ho ke halq tak pohoonchegi to ooska ist'emaal jayez nahi .
(4) Khusboodaar paudho ko suoonghna.
(5) Aurat ka paani mein baithna.
(6) Shiyaaf ist'emaal karna ya'ni kisi khusk cheez se enaema lena.

(7) Jo libaas pehen rakha ho oose tar karna.
(8) Daat nikalwaana aur har woh kaam karna jisse muh se khoon nikale.
(9) Tar lakdi se miswaak karna.
(10) Bila wajah paani ya koi aur siyaal cheez muh mein daalna.

Aur yeh bhi makruh hai ke mani nikalne ke qasd ke baghair insaan apni biwi ka bosa le ya koi shehwat angez kaam kare.

Aise mauqe jin mein roze ki qaza aur kaffara waajib ho jaate hain

1550. Agar koi shakhs Ramadhan ke roze ko khaane, peene, Jama'a, istimna ya janabat pe baaqi rehne ki wajah se baatil kare jabke jabr aur lachaari ki bina par balkeh amdan aur ikhtiyaar se aisa kiya ho to oos par qaza ke al'awa kafffara bhi waajib hoga aur jo koi mutzakra uumoor ke al'awa kisi aur tariqe se roza baatil kare to ehyiyat-e-mustahab yeh hai ke woh qaza ke al'awa kaffara bhi de.
1551. Jin uumoor ka zikr kiya gaya hai agar koi oon mein se kis fail ko anjaam de jabke oose pukhta yaqeen ho ke oos amal se ooska roza baatil nahi hoga to oos par kaffara waajib nahi hai. Yahi hukm oos shakhs ka hai jise ma'loom hi na ho ke oospar roza waajib hai jaise woh bachha jo bulugh ke ba'd ke ibtedaayi dino mein ho.

Roze ka kaffara

1552. Ramadhan ka roze todne ke kaffarae ke taur par zaruri hai ke insaaan ek ghulaam azaad kare ya oos tariq ke mutabiq jo agle massle mein bayaan kia jaayega do mahino ka roza rakhe ya 60 faqeeron ko paet bhar ke khaana khilaaye ya har faqeer ko ek mad ya'ni 3|4 kilo ta'am ya'ni gandum ya jau ya roti waghaira de aur agar yeh af'aal anjaam dena ooske liye mumkin na ho to baqdr-e-imkaan sadqa dena zaruri hai aur agar yeh mumkin na ho to tauba aur astaghfaar kare aur ehtayaat-e-waajib yeh hai ke jis vaqt (kaffara dena ke) qaabil ho jaaye kaffara de.
1553. Jo shakhs Ramadhan ke kafare ke taur par do maah roze rakhna chahe to zaruri hai ke ek poora mahina aur oose agle mahina ka ek din tak musalsal roze rakhe aur agar baaqi maninda roze musalsal na bhi rakhe to koi harj nahi hai.
1554. Jo shakhs Ramadhan ke roze ke kaffarae ke taur par do maah roze rakhna chahe to zaruri hai k eke woh roze aise vaqt na rakhe jiske baare mein woh jaanta hai ke ek mahine aur ek din ke darmiyaan Eid-e-Qurbaan ki tarah koi aisa din aa jaayega jiska roza rakhna haraam hai.
1555. Jis shakhs ko musalsal roze rakhna zaruri hai agar woh oon ke beech mein baghair koi uzr ke ek din ka roza nahi rakhe to zaruri hai ke dobaraa sire naw se roza rakhe.
1556. Agar oon dino ke darmiyaan jin mein musalsal roze rakhna zaruri hai, rozedaar ko koi ghair ikhtayaari uzr pesh aa jaaye,maslan Haiz ya Nifaas ya koi aisa safar jise ikhtayaar karne mein woh majboor ho. touzr ke door hone ke ba'd rozoaz sire now se shuru karna waajib nahi haibalkeh woh uzr door hone ke ba'dbaaqi mandah roze rakhe
1557. . Agar koi shakhs haraam cheez se apna roza batil kar de khawah woh cheez ba zaate khud haraam ho jaise sharaab aur zina ya kisi wajah se haraam hi jaye jaise ke halal ghiza jiska khana insaan ke liye kisi kullizar ka ba'es ho ya woh apni biwi haalat-e-haiz mein muja'maat kare to ek kaffara kaafi hai laikin ehtayaat-e-mustahab yeh hai ke majmu'an kaffara de. Y'ani ek ghulaam azaad kare, do mahine roza rakhe aur 60 faqeeron ko paet bhar kar khaana khilaaye yaa oon mein se jo kaffara mumkin ho.
1558. Agar rozedaar jaan bhoojh ke Allah(t. a) ya Rasul-e-Akram(s. a. w. s) se koi jhooti baat mansub kare to to agarche oose kaffara waajib nahi hai laikin ehtayaat-e-mustahab hai ke kaffara de.

1559. Agar rozedaar Ramadhan ke ek din mein kayi dafa’ khaaye, piyeya jam’a ya istimna kare to oon sab ke liye ek kaffara kaafi hai.
1560. Agar rozedaar Jama’a ke a’lawa koi dasra aisa kam kare jo roze ko baatil karta ho aur phir apni jauza se mujama’at bhi kare to dono ke liye ek kaffara kaafi hai.
1561. Agar rozedaar koi aaisa kaam kare jo halal ho aur roze ko baatil karta ho, maslan paani pi le aur ooske ba’d koi aisa dasra kaam kare jo haraam ho aur roze ko baatil karta ho, maslan haraam ghiza kha le to ek kaffara kaafi hai.
1562. Agar rozedaar dakaar le aur koi cheez oos ke muh mein aa jaaye to agar woh oose jaan bhoojh ke nigal le to bina-e-ehtayaat-e-waajib, oos ka roza baaatil hai aur zaruri hai ke ooski qaza kare aur kaffara bhi oospar waajib ho jaata hai aur agar oos cheez ka khana haraam ho, khoon ya aaisi koi ghiza jo ghiza ki tareef mein na aayi ho oos ke muh mein aa jaaye aur woh oose jaan bhoojh ke nigal le to behtar hai ke majmuyi kaffara de.
1563. Agar koi shakhs mannat maanne ke a’lawa khaas din roza rakhega to agar woh din jaan bhoojh ke apne roze ko baatil kar de to zaruri hai ke kafffara de ooska kaffara oosi tarah hai jaise ke mannat todne ka kaffara.
1564. Agar rozedaar ek aise shakhs ke kehne par jo kahe ke maghrib ka vaqt ho gaya hai, laikin jiske kehne se itminaan haasil na ho to, roza iftaar kar le aur ba’d mein oose pata chale ke maghrib ka vaqt nahi hua ya shak kare ke maghrib ka vaqt hua hai ya nahi to oos par qaza aur kaffara dono waajib ho jaate hain aur agar woh yeh samjhta hai ke ooski baat hujjat hai to oos par sirf qaza waajib hai.
1565. Jo shakhs jaan bhoojh ke apna roza baatil kar le aur zohur ke ba’d safar kare ya kaffare se bachne ke liye zohur se pahle safar kare to oospar se kaffara saakit nahi hota balkeh agar zohur se pahle oose ittefaqan safar karna pade tab bhi kaffara waajib hai.
1566. Agar koi shakhs jaan bhoojh ke apna roza baatil kar de aur ooske ba’d Haiz ya Nifaas ya bimaari jaise uzr paida ho jaaye to ehtayaat-e-mustahab yeh hai ke kaffara de. Khususan jab kisi tariqe se maslan dawaaiyon ke ist’emaal se khuud ko haiz ya bimaari mein mubtela kiya ho.
1567. Agar kisi shakhs ko yaqeen ko ke aaj Ramadhan ki pehli taarikh hai aur woh jaan bhooj ke oose tod de aur ba’d mein oose pata chale ke woh sha’baan ki aakhri taarikh hai to ooska kaffara waajib nahi hai.
1568. Agar koi shakhs ko shak ho ke aaj Ramadhan ki aakhri taarikh hai ya shawwal ke pehli hai aur woh jaan hboojh ke roza tod de aur ba’d mein oose pata chale ke woh shawwal ki pehli taarikh hai to ooska kaffara waajib nahi hai.
1569. Agar ek rozedaar Ramadhan mein apni biwi se Jama’a kare to agar oosne apni biwi ko majboor kiya ho to apne roze ka kaffara de aur ehtayaat ki bina par zaruri hai ke apni biwi ke roze ka bhi kaffara de aur agar biwi Jama’a pe raazi ho to ek par ek kaffara waajib ho jaata hai.
1570. Agar koi aurat apne rozedaar shauhar ko Jama’aa karne pe majboor kare to oos par shauhar ke roze ka kaffara ada karna waajib nahi hai.
1571. Agar rozedaar Ramadhan mein apni biwi ko Jama’a par majboor kare aur Jama’a ke dauraan aurat bhi Jama’a pe raazi ho jaaye to dono par ek ek kaffara waajib ho jata hai aur ehtayaat yeh hai ke mard do kaffara de.
1572. Agar rozedaar Ramadhan mein apni rozedaar biwi se jo so rahi ho Jama’a kare to oos par ek kaffara waajib ho jaata hai aur aurat ka roza sahi hai aur oos par kaffara bhi waajib nahi hai.
1573. Agar shauhar apni biwi ko ya biwi apne shauhar ko Jama’a ke al’awa koi aise kaam par majboor kare jisse roza baatil ho jaata hai to oon dono mein se kisi par bhi kaffara waajib nahi hai.

1574. Jo aadmi safar ya bimari ki wajah se roza na rakhe woh apni rozedaar biwi se Jama'a nahi kar sakta laikin agar majboor kare to kaffara mard par waajib nahi.
1575. Zaruri hai ke insaan kaffara dene mein kotahi na kare laikin fauri taur par dena zaruri nahi hai.
1576. Agar kisi shakhs par kaffara waajib ho aur woh kayi saal tak kaffara na de to oos kaffare mein koi izaafa nahi hoga.
1577. Jis shakhs par ek din ke kaffaare ke taur par 60 faqeero ko khaana khilaana zaruri ho, agar 60 faqeer maujood ho to woh yeh nahi kar sakta ke kaffara to ootna hi de lakin faqeeron ki ta'daad kam kar de. Maslan teen faqeeron mein se ek ko do mad ta'aam de sakta hai. Albatta is surat mein ehtayaat-e-waajib ki bina par zaruri hai ke jab bhi mumkin ho 30 aur faqiron ko bhi ek aur mad de.
1578. Jo shakhs Ramadhan ki roze ki qaza kare agar woh zohur ke ba'd jaan bhooj ke koi aisa kaam kare jo roze ko baatil karta hai to zaruri hai ke 10 faqeeron ko fardan fardan ek mad khaana de aur agar na de sakta ho to teen roze rakhe.

Woh suuratein jin mein faqt roze ki qaza waajib hai

1579. Jo suuratein bayaan ho chuki hai oon ke al'awa in chand suuraton mein insaan par sirfiroze ki qaza waajib hai aur kaffara waajib nahi hai.

(1) Ek shakhs Ramadhan ki raat mein joonub ho jaaye aur jaisa ki massla no. 1601 mein tafseel se bataya gaya hai keh subh ki adhan tak dusri neend se bedaar na ho.

(2) Roze ko baatil karne wala kam na kia ho laikin roze ki niyyat na kare ya riya kare ya roza na rakhne ka iraada kare. Isi tarah massla no. 1551 mein batayi gayi tafseel ke mutabiq kisi aise kaam ka iraada kare jo roze ko baatil karta hai.

Ramadhan mein ghusl-e-janabat karna bhool jaaye aur ek ya kayi din roze rakhta rahe.

(3) Ramadhan mein yeh tehqeeq kiye baghair ke subh hui hai ya nahi koi aisa kaam kare jo roze ko baatil karta ho aur ba'd mein oose pata chale ke subh ho chuki thi.

(5) Koi kahe ke subh nahi hui aur insaan ooske kehne ki bina par koi aisa kaam kare jo roze ko baatil karta ho aur ba'd mein pata chale ke subh ho gayi hai.

(6) Koi kahe ke subh ho gayi hai aur insaan ooske kehne par yaqeen na kare ya samjhe ke mazaq kar raha hai ya khud tehqeeq na kare aur koi aisa kaaam kare jo roze ko baatil karta ho aur ba'd mein oose pata chale ke subh ho gayi thi.

(7) Koi shakhs kisi ke kehne par jiska qaul ooske liye shar'an hujjat ho ya woh ghalti karte hue yeh samhjta ho ke ooska qaul hujjat hai, roza iftaar karle aur ba'd mein oose pata chale ke abhi maghrib ka vaqt nahi hua hai.

(8) Insaan ko yaqeen ya itminaan ho ke maghrib ho gayi hai aur woh roza iftaar kar le aur ba'd mein oose pata chale ke maghrib nahi hui thi. Laikin agar mutla' abr aaluuda ho ya oos jaisi koi kaifiyat ho aur insaan iis gumaan ki tehet roza iftaar kar le ke maghrib ho gayi hai aur ba'd mein ma'loom ho ke maghrib nahi hui thi to ehtayaat ki bina par is suurat mein qaza waajib hai.

(9) Insaan pyaas ki wajah se kulli kare ya'ni paani muh mein lekar ghumaaye aur beikhtayaar paani paet mein chala jaaye. Laikin agar insaan bhool jaaye ke roze se hai aur paani gale se uutar jaaye ya pyaas ke al'awa kisi dusri suurat mein ke jahan kulli karna mustahab hai. Jaise wuzu karte vaqt kulli kare aur paani beikhtayaar paet mein chala jaaye to ooski qaza nahi hai.

(10) Koi shakhs majboori, izteraari ya taqqaiyye ki haalat mein roza iftaar kare jab ke majboori ya taqqaiyye mein khaya peeya ya jama'a kiya ho, ehtayaat-e-waajib ki bina par baaqi cheezon mein bhi yahi hukm hai.

1580. Agar rozedaar paani ke al'awa koi cheez muh mein dale aur woh beikhtayar paet mein chali jaaye ya naak mein paani dale aur woh beikhtayaar neeche chala jaaye to oos par qaza waajib nahi hai.

1581. Rozedaar ke liye zayaada kulliyan karna makruh hain aur agar kulli ke ba'd lo'aab-e-dehen nigalna chahe to behtar hai ke pahle teen dafa' lo'aab thook de.

1582. Agar kisi shakhs ko ma'loom ho ke kulli karne se beikhtayaar ya bhool jaane ki wjah se paani halq mein neeche uutar jaayega to zaruri hai ke kulli na kare aur is suurat mein agar kulli kare laikin paani halq se na ootre to ehtayaat-e-waajib ki bina par qaza zaruri hai.

1583. Agar kisi shakhs ko Ramadhan mein tehqeeq karne ke ba'd ma'loom na ho ke subh ho gayi hai aur koi aisa kaam kare jo roze ko baatil karta hai aur ba'd mein oose pata chale ke subh ho gayi hai to ooske liye roze ki qaza karna zaruri nahi.

1584. Agar kisi shakhs ko shak ho ke maghrib ho gayi hai ya nahi to woh roza iftaar nahi kar sakta laikin agar woh shak kare ke subh ho gayi ya nahi to woh tehqeeq karne se pahle aisa kaam kar sakta hai jo roze ko baatil karta ho.

Qaza roze ke Ehkaam

1585. Agar koi deewana achchha ho jaaye to ooske liye a'lam-e-deewaangi ke rozo ki qaza waajib nahi.

1586. Agar koi kaafir musalmaan ho jaye to oos par a'lm-e-kufr ke rozo ki qaza waajib nahi laikin agar ek musalmaan kaafir ho jaaye aur phir dobara musalmaan ho jaaye to zaruri hai ke ayyam-e-kufr ke rozo ki qaza baja laaye.

1587. Jo roze masst hone ki wajah se chhoot jaaye oonki qaza baja laaye khawah jin cheez ki wajah se woh masst hua ho woh ilaaj ki garz se hi kyoon na khaayi ho.

1588. Agar koi shakhs kisi uzr ki wajah se chand dino tak roza na rakhe aur ba'd mein shak kare ke ooska uzr kis vaqt za'el hua tha to ooske liye waajib nahi hai ke jitni muddat roze na rakhne ka zayaada ehtemaal ho oos ke mutabiq qaza ba'ja laaye. Maslan agar koi shakhs Ramadhan se pahle safar kare aur oose yeh ma'loom na ho ke woh Maahe Mubaarak ki paanchvi taarikh ko safar se waapas aaya tha ya chhati ko maslan oosne maahe mubarak ki aakhir mein safar shuru kiya ho aur maahe mubarak khatm hone ke ba'd vapas aaya ho aur oose pata na ho ki 25 Ramadhan ko safar kiya tha ya 26 Ramadhan ko to dono suuraton mein woh kamtar dino ya'ni paanch rozo ki qaza kar sakta hai. Agarche Ehtayaat-e-mustahab yeh hai ke zayaada dino ya'ni 6 dino ki qaza kare.

1589. Agar kisi shakhs par chand saalo ki Ramadhan ke rozo ki qaza waajib ho Jis saal ki rozo ki qaza pahle karna chahe kar sakta hai laikin agar aakhri Ramadhan ke rozo ka vaqt tang ho maslan aakhri Ramadhan ki paanch rozo ki qaza ooske zimme ho aur aa'enda Ramadhan bhi shuru hone mein bhi paanch din reh gaye ho to behtar yeh hai ke pahle aakhri Ramadhan ke rozon ki qaza baja laaye.

1590. Agar kisi shakhs par chand saalo ke Ramadhan ke rozo ki qaza waajib ho aur woh roze ki niyyat mo'ayyin na kare ke kaoon se Ramadhan ki roze ki qaza kar raha hai to ooska shumaar aakhri Ramadhan ki qaza mein shumaar nahi hoga aur natijatan taakheer ka kaffara oos par saakit nahi hoga.

1591. Jis shakhs ne Ramadhan ka qaza roza rakha ho oos roze ko zohur se pahle tod sakta hai. Laikin agar qaza ka vaqt tang hai to behtar hai ke roze ko na tode.

1592. Agar kisi ne masst ke qaza ka roza rakha ho to behtar yeh hai ke zohur ke ba'd roza na tode.
1593. Agar koi shakhs kisi bimaari ya Haiz ya Nifaas ki wajah se Ramadhan ke roze na rakhe aur ooski muddat guzarne se pahle ke jis mein woh oon rozo ki jo oos ne nahi rake the qaza kar sakta ho mar jaaye to oon rozo ki qaza nahi hai.
1594. Agar koi shakhs bimaari ki wajah se Ramadhan mein roze na rakhe aur ooski bimaari aa'enda Ramadhan tak lambi ho jaaye to jo roze oosne na rakhe ho oonki qaza oos par waajib nahi hai aur zaruri hai ke har din ke liye ek mad(taqreeban 750 gms)ta'aam ya'ni gandum ya jow ki roti kisi faqeer ko de laikin agar kisi aur uzr maslan safar ki wajah se roze na rakhe aur ooka uzr aa'enda Ramadhan tak baqi rahe to zaruri hai ke jo roze na rakhe ho oon ki qaza kare aur ehtayaat-e-waajib yeh hai ke har ek din ke liye ek mad ta'aam bhi faqeer ko de.
1595. Agar koi shakhs bimaari ki wajah se Ramadhan ke roze na rakhe aur Ramadhan ke ba'd ooski bimaari door ho jaaye laikin koi dasra uzr laahaq ho jaaye jiski wajah se woh Ramadhan tak qaza roze na rakh sake to zaruri hai ke jo roze na rake ho oonki qaza baja laaye aur ehtayaat-e-waajib ki bina par har din ke liye ek mad ta'am faqeer ko bhi de. Yahi hukm oos vaqt bhi hai jab Ramadhan mein bimaari ke al'awa koi aur uzr rakhta ho aur Ramadhan ke ba'd woh uzr door ho jaaaye aur aa'enda saal ke Ramadhan tak bimaari ki wajah se roze na rakh sake.
1596. Agar koi shakhs kisi uzr ki wajah se Ramadhan mein roze na rakhe aur Ramadhan ke ba'd ooska uzr door ho jaaye aur woh aae'da saal tak amdan roze ki qaza na baja laye to zaruri hai ke rozo ki qaza kare aur har din ke liye ek mad ta'am faqeer ko de.
1597. Agar koi shakhs qaza roze rakhne mein kotahi kare hatta ke vaqt tangi mein oose koi uzr pesh na aa jaaye to zaruri hai ke rozo ki qaza kare aur ehtayaat ki bina par har ek din ke liye ek mad ta'am faqeer ko de. Agar uzr door hone ke ba'd musammam iraada rakta ho ke woh rozo ki qaza baja laayega laikin qaza baja lane se pahle tang vaqt mein oose koi uzr pesh aa jaaye to oos suurat mein bhi yahi hukm hai.
1598. Agar insaan ka marz chand saal lamba ho jaaye to zaruri hai ke tandurust hone ke ba'd aakhri Ramadhan ke chhute hue rozo ki qaza baja laaye aur iis se pahle ke maahe mubarak ke har ek din ke rozo ke liye ek madd ta'am faqeer ko de.
1599. Jis shakhs ke liye har roze ke a'vaz ek madd ta'am faqeer ko dena zaruri ho woh chand dino ka kaffaara ek hi faqeer ko de sakta hai.
1600. Agar koi shakhs Ramadhan ki rozo ki qaza karne ke liye kayi saal tak takheer kar de to zaruri hai ke qaza kare aur pahle saal mein takheer karne ki bina par har roze ke liye ek mad ta'am faqeer ko de laikin baaqi kayi saal ki takheer ke liye oos par kuch bhi waajib nahi hai.
1601. Agar koi shakhs Ramadhan ke roze jaan bhoojh ke na rakhe to zaruri hai ke oon ki qaza baja laaye aur har din ke liye do mahine roze rakhe ya 60 faqeero ko khaana khilaaye ya ek ghulaam azaad kare agar a'enda Ramadhan tak oon rozo ki qaza kare to ehtayaat-e-laazim ki bina par har din ke liye ek mad ta'am kaffara bhi de.
1602. Agar koi shakhs jaan bhoojh ke Ramadhan ka roza na rakhe aur oon mein kayi dafa'' jama'a ya istimna kare to kaffara takraar nahi hoga. Aise hi agar kayi dafa' koi aisa kaam kare jo roze ko baatil karta ho maslan khaana khaaye tab bhi ek kaffara kaafi hai.
1603. Baap ke marne ke ba'd bade bete par ehtayaat-e-laazim ki bina par zaruri hai ke baap ke rozo ki qaza oosi tarah baja laaye jaise ki namaaz ke silsile mein massla no. 1371 mein tafseel se bataya gaya hai. Woh yeh bhi kar sakta hai ke har din ke badle750 gram khana kisi faqeer ko de. Chahe waariso ke raazi hone ki suurat mein mayyat ke maal hi se de.

1604. Agar kisi ke baap ne Ramadhan ke rozo ke al'awa koi aur waajib roze maslan manati roze na rakhe ho ya agar baap kisi ke rozo ke liye ajeer bana ho aur oosne woh roze na rakhe ho to oon rozo ki qaza bete par waajib nahi hai.

Musaafir ke rozo ke ehkaam

1605. Jis musaafir ke liye safar mein chaar rak'ati namaaz ke bajaye do rak'at namaaz padhna zaruri ho oose roza nahi rakhna chahiye laikin woh musafir jo poori namaaz padhta ha maslan jiska pesha hi safar ho ya jiska safar kisi na jayez kaam ke liye ho to zaruri hai ke safar mein roza rakhe.

1606. Ramadhan mein safar karne mein koi harj nahi laikin roze se bachne ke liye safar karna makruh hai. Yahi hukm har safar ka hai ba juz oos safar ke jo Hajj, Umrah, ya kisi aur zaruri kaam ke liye ho.

1607. Agar Ramadhan ke rozo ke al'awa kisi khaas din ka roza insaan par waajib ho agar woh roza ijaare ya ijaare ke ma'nind kisi wajah se waajib hua ho ya ikhtelaaf ke dino mein se teesra din ho to oos din safar nahi kar sakta aur agar safar mein ho aur agar theherna mumkin ho to to zaruri hai ke 10 din ek jagah qayaam karne ki niyyat kare aur oos din ka roza rakhe laikin agar oos din ka roza mannat ki wajah se waajib ho to zaahir yeh hai ke oos din safar karna jayez hai aur qayaam karne ki niyyat karna waajib nahi. Agarche behtar yeh hai ke jab tak safar karne ke liye majboor na ho safar na kare aur agar safar mein ho qayaam karna ki niyyat kare aur agar safar mein ho 10 din theherne ka iraada kare.

1608. Agar koi shakhs mustahab roze ki mannat mane laikin oos ke liye din mo'yyin na kare to woh shakhs safar mein aisa mannati roza nahi rakh sakta. Laikin agar mannat mane ke safar ke dauraan ek maqsus din roza rakhega to zaruri hai ke woh roza safar mein rakhe neiz agar mannat mane ke safar mein ho ya na ho ek maqsus din ka roza rakhega to zaruri hai ke agar safar mein ho tab bhi oos din ka roza rakhe.

1609. Musaafir talab-e-haajat ke liye Madina-e-tayyaba mein teen din mustahab roze rakh sakta hai aur ehwat yeh hai ke woh teen din Budh, Jumeraat aur Juma ho.

1610. Koi shakhs jise 'ilm na ho ke musaafir ka roza rakhna baatil hai, roza rakh le aur din hi din mein yeh hukm-e-massla ma'loom ho jaaye to ooska roza baatil hai. Laikin agar maghrib tak hukm na mal'oom ho to ooska roza sahi hai.

1611. Agar koi shakhs yeh bhool jaaye ke woh musaafir hai ya yeh bhool jaaye ke musaafir ka roza baatil hota hai aur safar ke dauraan roza rakh le to ehtayaat ki bina par ooska roza baatil hai.

1612. Agar rozedaar zohur ke ba'd safar kare to zaruri hai ke ehtayaat ki bina par roze ko tamaam kare aur is suurat mein roze ki qaza karna zaruri nahi aur agar zohur se pahle safar kare to ehtayaat ki bina par oos din ka roza nahi rakh sakta hai khasusan jab raat hi se ooska iraada safar karne ka ho. Laikin har suurat mein Hadd-e-tarrakhus tak aisa koi kaam nahi karna chahiye jo roze ko baatil karta ho warna ooska kaffara waajib hoga.

1613. Agar musafir khwah woh Ramadhan mein fajr se pahle safar mein ho ya roze se ho aur safar kare aur zohur se pahle apne watan pohoonch jaaye ya aisi jagah pohoonch jaaye jahan woh 10 din qayaam karna chahta ho aur oosne aisa koi kaam na kiya ho jo roze ko baatil karta ho to zaruri hai ke oos din ka roza rakhe aur is suurat mein ke roze ki qaza bhi nahi aur agar koi aisa kaam kiya jo roze ko baatil karta ho to oos din ka roza oospar waajib nahi aur zaruri hai ke ooski qaza kare.

1614. Agar musafir zohur ke ba'd apne watan pohoonche ya kisi aisi jagah pohoonche jahan woh 10 din qayaam karna chahta ho ehtayaat-e-waajib ki bina par ooska roza baatil hai aur zauri hai ke ooski qaza kare.

1615. Musaafir aur woh shakhs jo kisi uzr ki wajah se roza na rakh sakta ho ooske liye Ramadhan mein jama'a karna aur paet bahr kar khaana makruh hai.

Woh log jin par roza rakhna waajib nahi

1616. Jo shakhs budhaape ki wajah se roza na rakh sakta ho ya roza rakhna ooske liye shadeed takleef ka ba'es ho oos par roza waajib nahi hai laikin dusri suurat mein zaruri hai ke har roze ke a'waz ek madd ta'am ya'ni gandum ya jow ki roti ya oosse milti julti koi cheez faqeer ko de.
1617. Jo shakhs budhaape ki wajah se roze na rakhe aur Ramadhan ke ba'd roze rakhne ke qaabil ho jaaye to ehtayaat-e-mustahab hai ki jo roze na rakhe ho ooski qaza baja laaye
1618. Agar kisi shakhs ko koi aisi bimaari ho ke oosse shahar zayaada pyaas lagti ho aur woh pyaas na bardasht kar sakta ho ya pyaas ki wajah se oose takleef hoti ho to oos par roza waajib nahi hai. Laikin roza na rakhne ki suurat mein zaruri hai ke har roze ke a'ewaz ek madd ta'am faqeer ko de aur agar ba'd mein roza rakhne ke qaabil ho jaaye to zaruri nahi ke oonki qaza ba'ja laaye.
1619. Jis aurat ke wa'zeh hamal ka vaqt qareeb ho, ooska roza rakhna ooske liye ya ooske hone waale bachche ke liye muzar ho oos par roza waajib nahi hai aur zaruri hai ke woh har din ke a'ewaz mein ek madd ta'am faqeer ko de aur zaruri hai ke dono suurato mein jo roze na rakhe hon ooski qaza baja laaye.
1620. Jo aurat bachche ko dhoodh pilaati ho aur ooska doodh kam ho khawah woh bachche ki maa ho ya daaya ho aur khawah bachche ko muft dooodh pilaa rahi ho agar ooska roza rakhna khud ooske ya doodh peene waale bachche par muzar ho to oos aurat par roza rakhna waajib nahi hai aur zaruri hai ke har din ke a'ewaz mein ek madd ta'am faqeer ko de aur dono suurato mein jin dino ke roze na rakhe ho ooski qaza bhi ba'ja laaye. Laikin ehtayaat-e-waajib ki bina par yeh hukm sirf oos suurat mein hai jabke bachche ko doodh pilaane ka anhaasra oosi par ho. Laikin agar bachche ko doodh pilaane ka koi aur tariqa maslan kuch aurtein mil kar bachche ko doodh pilaaye ya oose doodh pilaane mein feeder ki mada bhi le to aisi suurat mein is hukm ke saabit hone mein ishkaal hai.

Mahine ki pehli taarikh saabit hone ka tariqa

1621. Mahine ki pehli taarikh (mandarja zel) chaar cheezo se saabit hoti hai :
(1) Insaan khud chaand dekhe.
(2) Ek aisa giroh jiske kehne par yaqeen ya itminaan ho jaaye yeh kahe ke hamne chaand dekha hai aur isi tarah har woh cheez jiski badaulat yaqeen aa jaaye ya kisi a'qli boonyaad par yaqeen haasil ho jaaye.
(3) Do a'dil mard yeh kahe ke hamne chaand dekha hai laikin agar woh chaand ke alag alag ausaaf baayan kare to pehli taarikh saabit nahi hogi aur yahi hukm hai agar insaan oonki ghalti ya yaqeen ka itminaan ho ya oon do a'dilo ki gawaahi se do aur a'dilo ki gawaahi ya oos jaisi koi cheez takraa rahi ho maslan shehar ke shahar se log chaand dekhne ki koshish kare laikin do a'dil aadmiyo ke al'awa koi dasra chaand dekhne ka da'wa na kare ya kuchh log chaand dekhne ki koshish kare aur oon logo mein se do a'dil chaand dekhne ka da'wa kare aur dasro ko chaand nazar na aaye halan ki oon logo mein do aur aa'dil aadmi aise ho jo chaand ki jagah pehchhanne, nigaah ki tezi aur digar khasusiyaat mein oon pahle do aadimiyo ke maa'nin hi matla bhi saaf ho ke aur kisi aisi cheez ke hone ka ehtemaal bhi na ho jo oonki deed mein rukaawat ban sake to aisi soora mein do a'dil aadmiyo ki gawaahi se pehli taarikh saabit nahi hogi

(4) Sha’aban ki pehli taarikh se 30 din guzar jaaye jin ke guzarne par Ramadhan ki pehli taarikh saabit ho jaati hai aur Ramadhan ki pehli taarikh se 30 din guzar jaaye jin ke guzarne par shawwal ki pehli taarikh saabit hoti jaati hai.

1622. Haakim-e-sha’ra ke hukm se mahine ki pehli taarikh saabit nahi hoti siwaaaye is ke ke ooske hukm se ya oos ke nazdeek chaand saabit ho jaane se chaand nazar aane ka itminaan haasil ho.

1623. Manjabon ki gawaahi se pehli taarikh saabit nahi hoti laikin agar insaan ko oonke kehne par yaqeen ya itminaan ho jaaye to zaruri hai ke oonke kehne par amal kare.

1624. Chaand ka aasmaan par buland hona ya ooska deir se ghuroob hona is baat ki daleel nahi hai ke saabeqa raat chaand raat thi isi tarah agar chaand ke gird halqa ho to yeh is baat ki daleel nahi hai ke dusri raat ka chaand hai

1625. Agar kisi par Ramadhan ki pehli taarikh saabit na ho aur woh roza na rakhe aur ba’d mein saabit ho jaaye ke guzishta raat hi chand raat thi to zaruri hai ke oos din ke roze ki qaza kare.

1626. Agar kisi shehar mein mahine ki pehli taarikh saabit ho jaaye aur dusre shehro mein bhi jin ka oofaq oos shehar se muttahid ho mahine ki pehli taarikh hoti hai. Yahan par oofaq ke muttahid hone se muraad yeh hai ke agar pahle shehar mein chaand dikhaayi de to dusre shehar mein bhi baadal ki tarah koi rukaawat na hone ki suurat mein chaand dikhaayi deta. Aisa isi suurat mein hoga jab dasra shehar agar pahle shaher ki maghribi simt mein ho to khat-e-arz ke a’itbaar se, pahle shehar se nazdeek ho aur agar masshriq simt mein ho to oon dono sheharo ka oofaq ek hone ka yaqeen haasil ho jaaye, chahe yeh yaqeen isi tarah haasil ho ke pahle shehar mein chaand nazar aane ki miqdaar, dono shehro mein sooraj ghuroob hone ke darmiyaani faasle ki miqdaar se zayaada ho.

1627. Jin dino ke mutta’liq insaan ko ‘ilm na ho ke Ramadhan ka aakhri din hai ya shawwal ka pehla din, oos din zaruri hai ke roza rakhe. Laikin agar din hi din mein oose pata chale ke shawwal ki pehli hai to roza iftaar kar le.

1628. Agar koi shakhs qaid mein ho aur Ramadhan ke baare mein yaqeen na kar sake to zaruri hai ke gumaan par amal kare laikin agar quwi gumaan par amal kar sakta ho to za’eef gumaan par amal nahi kar sakta aur zaruri hai ke quwi tareen ehtemaal haasil karne ke liye muqammal sa’ee aur koshish kare aur agar koi raasta na ho to aakhri chaara kaar ke taur par qur’a andaazi Kar le, agar ooske ehtemaaal ki quwwat mein izaafa ho raha ho aur agar gumaan par amal karna mumkin na ho to zaruri hai ke jis mahine ke baare mein ehtemaal ho ke Ramadhan hai oos mahine mein roze rakhe laikin zaruri hai ke oos mahine ko yaad rakhe. Chunanche ba’d mein oose ma’loom ho ke woh Ramadhan ya ooske ba’d ka zamaana tha to ooske zimme kuch nahi hai. Laikin agar ma’loom ho ke Ramadhan ke pahle ka zamaana tha to zaruri hai ke Ramadhan ke rozo ki qaza kare.

Haraam aur makruh roze

1629. Eid-ul-fitr aur eid-e-Qurbaan ka roza rakha haraam hai. Neiz jis din ke baare mein insaan ko yeh ‘ilm na ho ki sha’baan ki aakhri taareekh hai ya Ramadhan ki pehli to agar woh oos din Ramadhan ki pehli ki niyyat se roza rakhe to haraam hai.

1630. Agar aurat ke mustahab (nafli) roze rakhne se shauhar ka haqq-e-lazzat ki haq talafi hoti ho to aurat ka roza rakhna haraam hai. Yahi hukm waajib ghair-e-mu’ayyin maslan ghair-e-muyyin nazar ke roze ka aur is suurat mein ehtayaat-e-waajib ki bina par roza baatil hoga aur nazr bhi poori nahi maani jaayegi. Yahi hukm ehtayaat-e-waajib ki bina par oos suurat mein hai

jab shauhar, aurat ko mustahab ya ghair mu'ayyin nazr ka roza rakhne se man'a kar de, chahe oosse shauhar ki haq talfi bhi na hoti ho aur ehtayaat-e-mustahab yeh hai ki ooske ijaazat ke baghair mustahab (nafli) roze bhi na rakhe.

1631. Agar aulaad ka mustahab roza –Maa Baap ki aulaad ki shafqat ki wajah se-Maa Baap ke liye aziyat ka mo'jab ho to aulaad ke liye mustahab roza rakhna haraam hai.

1632. Agar beta Maa ya Baap ki ijaazat ke baghair mustahab roza rakh le aur din ke dauraan oose Baap ya Maa oose (roza rakhne se)ma'na kar de, to agar bete ka Baap ya Maa ki baat na ma'na fitri shafqat ki wajah se aziyat ka mo'jab ho to bete ko chahiye ke roza tod de.

1633. Agar koi shakhs jaanta ho ke roza rakhna ooske liye koi aisa mu'zar nahi hai ke jis ki parwah ki jaaye to agarche tabeeb kahe ki muz'ar hai to ooske liye zaruri hai ke roza rakhe aur agar koi shakhs yaqeen ya gumaan rakhta ho ke roza ooske liye mu'zar hai to agarche tabeeb kahe ke muz'ar nahi hai to zaruri hai ke woh roza na rakhe.

1634. Agar kisi shakhs ko yaqeen ya itmenaan ho ke roza rakhna ooske liye qaabil-e-tawajjo zar ka ba'es hai ya iis baat ka ehtemaal ho aur oos baat ke ehtemaal ki bina par(ooske dil mein) khauff paida ho jaaye to agar ooska ehtemaal logo ki nazar mein sahi ho to ooske liye roza rakhna waajib nahi balkeh agar woh nuqsaane insaani jaan ki halaaqat ya kisi az'uu ke naaqis hone ka sabab ban raha ho to roza haraam hai. Is ke al'awa suurat mein ba qasd-e-raj'aa roza rakh le aur ba'd mein ma'loom ho ke roza oos ke liye qaabil towajjah nuqsaan ka sabab na tha to ooska roza sahi hai.

1635. Jis shakhs ko a'itmaad ho ke roza rakhna oos ke liye mu'zar nahi agar woh roza rakhe aur maghrib ke ba'd oose pata chale ke roza rakhna ooske liye aisa muzar tha ke jis ki parwah ki jaati to ehtayaat-e-waajib ki bina par ooske roze ki qaza karna zaruri hai.

1636. Mandarja baala rozo ke al'awa aur bhi haraam roze hain jo mufassal kitaabo mein mazkur hai.

1637. A'ashur ke din roza rakhna makruh hai aur oos din ka roza bhi makruh hai jis ke baare mein shak ho ke ar'faa ka din hai ya Eid –e-Qurbaani ka din.

Mustahab roze

1638. Ba juz-e-haram aur makruh woh rozo keh jin ka zikr kiya gaya hai saal ke tamaam dino ke roze mustahab hain aur ba'az dino ke roze rakhne ki shahar taaqeed ki gayi hai jin mein se chand yeh hain.

(1) Har mahine ki pehli aur aakhri Jumeraat aur pahle budh jo mahine ki dasvi taareekh ke ba'd aaye. Agar koi shakhs yeh roze na rakhe to mustahab hai ke oon ki qaza kare aur agar roza bilkul na rakh sakta ho to mustahab hai ke har din ke badle ek madd ta'am ya 5 12 nakhud sikkedaar chaandi faqeer ko de.

(2) Har mahine ki 13th 14th 15th taareekh

(3) Rajab aur sh'abaan ke poore mahine ke roze. Ya oon do mahino mein jitney roze rakh sake khawah woh ek din hi kyoon na ho.

(4) Eid-e-Nawroz ke din

(5) Shawwal ki 4th se 9th taareekh tak.

(6) Zilqad ki 25th aur 29th taareekh.

(7) Zillhaj ki pehli tarikh se 9th taareekh (yaum-e-Ar'fa) tak laikin agar insaan roze ki wajah se paisa hone wali kamzori ki bina par yaum-e-ar'faa ki dua na padh sake to oos din ka roza rakhna makruh hai.

(8) 8 Zilhajj ya'ni Eid-e-Ghadeer ka din.

(9) 24 Zilhajj ya'ni Eid-e-Mubahila ka din

(10) Muhaaram-ul haraam ki pehli. teeri aur saatvi tarikh

(11) 17 Rabi-ul-awwal ya'ni Rasul-e-Akram sallallaho alaihe wa a'lehi wassalam ki wiladat ki taareekh.

(12) 15 Jamaadi-ul-Awwal.

(13) 27 Rajab ya'ni Eid-e Be'sat Hazrat Rasul-e-Akram sallaho alaihe wa a'lehi wassalam ke din.

Jo shakhs mustahab roze rakhe ooske liye waajib nahi hai ke oose ikhtetaam tak pohoonchaaye balkeh agar ooska koi mo'min bhai oose khaane ki daa'wat de to mustahab hai ke ooski daawat qabool kar le aur din mein hi roza khol le khawah zohur ke ba'd hi kyoon na ho.

Woh suuratein jin mein mubtelaat-e-roza se parhez mustahab hai

1639. (Mandarjazel) Paanch ashkhaas ke liye mustahab hai ke agarche roze se na ho, ramadhan mein oon af'aal se parhez kare jo roze ko baatil karte hain:

(1) Woh musaafir jis ne safar mein koi aisa kaam kiya ho jo roze ko baatil karta ho aur zohur se pahle apne watan ya aisi jagah pohoonch jaaye jahan woh 10 din rehna chahta ho.

(2) Woh musaafir jo zohur ke ba'd apne watan ya aisi jagah pohoonch jaaye jahan woh 10 din rehna chahta ho.

(3) Woh mareez jo zohur ke ba'd tandrust ho jaaye aur yahi hukm hai ke agar zohur se pahle tandrust ho jaaye jabke woh koi aisa kaam kar chuka ho jo roze ko baatil karta ho aur agar koi aisa kaam na kiya ho to ehtayaat-e-wajib ki bina par zaruri hai ke roza rakhe.

(4) Woh aurat jo din mein Haiz ya Nifaas ke khoon se paak ho jaaye.

(5) Woh kaafir jo musalmaan ho jaaye aur oosne roza batil karne waali aisa koi kaam anjaam nahi diya ho.

1640. Roze daar ke liye mustahab hai ke roza iftaar karne se pahle maghrib aur isha ki namaaz padh le laikin agar koi dasra shakhs ooska intezar kar raha ho ya oose itni bhukh lagi ho ke hazur-e-qalb ke saath namaaz na padh sakta ho to behtar hai ke pahle roza iftaar kare laikin jahan tak mumkin ho namaaz fazilat ke vaqt mein hi ada kare

Khums ke Ehkaam

1641. Khums saat cheezon pe waajib hai.

(1) Kaarobaar (yaa rozgaar)ka moonaaf'a.

(2) Ma'adani kaaane.

(3) Dafina (ghada hua khazana)

(4) Halaal maal jo haraam maal mein makhlut ho jaye.

(5) Ghota khori se haasil hone waali samoondari moti aur moonge.

(6) Joong mein milne wala maal-e-ghanimat

(7) Masshhoor qaul ki bina par woh zameen jo zimmi kafir kisi musalmaan se kharide.

Zeil mein oonke ehkaam tafseel se bayaan kiye jaayenge:

Kaar-o-baar ka moon'afa

1642. Jab insaan tijaarat, san'at wa harfat ya dusre kaam dhando se rupayya paisa kamaaye maslan agar koi ajeer ban ke kisi matoofi ki namaazein padhe aur roze rakhe aur isii tarah kuch rupayya kamaaye lehaaza agar woh kamayii khud ooske aur ooske ahl-o-ayaal saal bhar ke akhrajaat se zayaada ho to zaruri hai ke zaay'ed kamaayi ka khums ya'ni paanchwa hissa oos tariqe ke mutabiq de jiski tafseel ba'd mein bayaan hogi.

1643. Agar kisi ko kamaayi ke baghair koi aamdani ho jaaye siwaaye kuch oon cheezon ke jo aane waale massa'el mein istenasha kiya jaayega maslan koi shakhs jise bataur tahaffuz koi cheez de aur woh oos ke saal bhar ke akhrajaat se zayaada ho to zaruri hai ke ooska khums de.
1644. Aurat ko jo meher milta hai aur shauhar biwi ko talaaq-e-khula dene ke a'ewaz jo maal haasil karta hai oon par khums nahi hai. Yahi hukm diyyat ke taur par milne waali raqam ka hai aur isi tarah se miraas ke mo'atbar qawa'ed ki row se jo miraas insaan ko mile ooska bhi yahi hukm hai. Agar kisi shi'a musalmaan ko ooske al'awa kisi aur zariye maslan ta'aseeb ke zariye miraas mile to oose aamdani samjha jaayega aur ooska khums nikaalna zaruri hai. Isii tarah agar oose baap aur bete ke al'awa kisi aur ki taraf se miraas mile ke jiska khud oose gumaan tak na ho to Ehtayaat-e-Waajib yeh hai ke woh miraas agar ooske saal bhar ke akhrajaat se zyada ho to ooska khums de.
1645. Agar kisi shakhs ko koi miraas mile aur oose ma'loom ho ke jis shakhs se oose yeh miraas mili hai oosne ooska khums nahi diya tha to zaruri hai ke waaris ooska khums de. Isii tarah agar khud oos maal par khums waajib na ho aur waaris ko yeh ilm ho ke jis shakhs se oose maal wa rupayye wirse mein mil raha hai oos shakhs ke zimme khums waajib-ul-ada tha to zaruri hai ke ooske maal se khums ada kare. Laikin dono suurato mein jis shakhs se maal wa rupayye mile ho agar woh khums dene ka m'atqad na ho ke woh khums deta hi na ho to zaruri nahi ke woh khums waris ada kare jo oos shakhs par waajib tha.
1646. Agar kisi shakhs ne kaffayiyat-e-sha'ari ke sabab saal bhar ke akhrajaat ke ba'd kuch raqam pas andaaz ki ho to zaruri hai ke bachat ka khums de.
1647. Jis shakhs ke tamaam akhrajaat koi dasra shakhs bardaasht karta ho to zaruri hai ke jitna maal ooske haath aaye ooska khums de.
1648. Agar koi shakhs apni ja'edaad kuch khaas afraad maslan apni aulaad ke liye waqf kar de aur woh log oos jae'daad mein kheti baadi shajarkaari kare aur oosse moonafa kamaye aur woh kamaayi oonke saal bhar ke akhrajaat se zayaada ho to zaruri hai ke oos kamayi ka khums de. Neiz yeh ke agar woh kisi aur tariqe se oos jae'daad se nafa haasil kare maslan oose kiraaye ya (theke) par de to zaruri hai ke nafa ka jo miqdaar oonke saal bhar ke akhrajaat se zayaada ho ooska khums de.
1649. Jo maal kisi faqeer ne kisi waajib sadqe maslan kaffarraat ya radde mazaalim ya mustahab sadqe ke taur par hasil kiya ho agar woh ooske saal bhar ke akhrajaaat se zayaada ho ya joo maal oose diya gaya ho oos ke saal bhar ke akhrajaat se zayaada ho to ehtayaat-e-waajib ki bina par zaruri hai ke ooska khums de. Laikin jo maal oose khums ya zakaat ka mustrhaq samahj kar diya gaya ho to zaruri nahi hai ke oos asli maal ka khums de. Haan! agar oose kuch moon'afa hasil hua ho jo sal bhar ke akhrajaat ke ba'd bach gaya ho to ooska khums ada karna zaruri hai.
1650. Agar koi shakhs aisi raqam se koi cheez khareed le jiska khums na diya gaya ho bechne waale se kahe ke "main yeh cheez oos raqam se khareed raha hoon"Agar bechne wala shi'a athna ashri ho to zaahir yeh hai ke kul maal ke muta'aliq ma'amla durust hai aur khums ka ta'lluq oos cheez se ho jaata hai jo osne oos raqam se khareedi hai (is m'amle mein) haakim-e-shar'a ki ijaazat aur dastakhat ki zarurat nahi.
1651. Agar koi shakhs koi cheez khareede aur ma'am'la tay karne ke ba'd ooski qeemat oos raqam se ada kare jiska khums na nikaala gaya ho jo ma'amla oosne kiya hai woh sahi hai aur jo raqam oosne farorh shuda ko di hai ooske khums ke liye woh mustahqeen ka makrooz hai.
1652. Agar koi shi'a athna ashari musalmaan koi aisa maal khareede jiska khums na diya gaya ho to ooska khums bechne waale ki zimmedaari hai aur khareedaar ke zimme kuch nahi.

1653. Agar koi shakhs kisi shi'a ashna ashari ko koi aisi cheez bataure atiya de jiska khums na diya gaya ho to ooske khums ki adaayegi ki zimmedaari atiya dene waale par hai aur (jis shakhs ko atiya diya gaya ho)ooske zimme kuch nahi.
1654. Agar insaan ko kisi kaafir se ya aise shakhs se jo khums dene mein a'itbaar na rakhta ho, koi maal mile to oos maal ka khums dena waajib nahi hai.
1655. Taajir, dukaandaar, kaargeer aur is kism ke dusre logo ke liye zaruri hai ke jab oonhone kaarobaar ya kaam shuru kiya ho ek saal guzar jaye to jo kuch oonke saal bhar ke akhrajaat se zayaada ho ooska khums de. Yehi hukm majaalis padhne waale zakir waghairah ka bhi hai. Chahe oose sal ke maqsus ayyaam mein hi aamdani hui ho, jabkeh ooski aamdani salana akhrajaat ka ek bada hissa ada kar rahi ho. Jo shakhs kisi kaam dhahnde se kamaayi na karta hota ke oos zariye se apne akhrajaat ada kare balkeh logo ya hukumat ki madad se ooska guzaraa ho raha ho ya oosse ittefaaqan koi nafa haasil ho jaaye to jab oose yeh nafa mile tab se ek saal guzarne ke ba'd jitni miqdaar ooske saal bhar ke akhrajaat se zayaada ho zaruri hai ke ooska khums de. Is a'itbaar se har moonaafe ke liye ek alag saal bhi qaraar de sakta hai.
1656. Saal ke dauraan jis vaqt bhi kisi ko moonafa mile woh ooska khums de sakta hai aur ooske liye yeh bhi jayez hai ke saal ke khatm hone tak ooski adaa'egi ko muakkhar kar de, Laikin agar jaanta ho ke saal ke ikhtetaam tak woh khums ada karne ke liye Shamsi saal (roman calendar)ikhtayaar kare to koi harj nahi hai.
1657. Agar kisi shakhs ko koi moonaaf'a haasil ho laikin woh saal ke dauraan mar jaaye to zaruri hai ke ooski maut tak ke akhrajaat ooske moonaafe mein se nikaal kar baaqi maanda ka khums fauran de.
1658. Agar kisi shakhs ke bagharze tejaarat khareede hue malki qeemat badh jaaye aur woh oose na beche aur oosi saal ke dauraan ooski qeemat gir jaaye to jitni miqdaar mein qeemat badhi hai ooska khums waajib nahi hai.
1659. Agar kisi shakhs ke ba gharze tejaarat khareede huye maal ki qeemat badh jaaye aur woh is uumeed par ke abhi ooski qeemat aur badhegi oos maal ko saal ke khaatme tak farokht na kare aur phir ooski qeemat gir jaaye to jis miqdaar tak qeemat badhi ho ooska khums dena ehtayaat-e-waajib ki bina par zaruri hai.
1660. Kisi shaks ne maal tejaarat ke siwa koi maal khareed kar ya isi tarah ke kisi tariqe se haasil kiya ho jiska khums woh ada kar chuka ho to agar ooski qeemat badh jaaye to oose bech de to zaruri hai ke jis qadr oos cheez ki qeemat badhi ha, Agar saal bhar ke akhrajaat ka ba'd bach jaaye to ooska khums de. Isii tarah maslan agar koi darakht khareede aur oos mein uumeed lage (bhaid khareede aur woh) bhaid moti ho jaaye to zaruri hai ke oos izaafi miqdaar ka khums nikaale.
1661. Agar koi shakhs kisi aise maal se jiska khums ada kar diya hai ya jispar abhi khums waajib nahi hua hai, iis khayaal se baagh (mein paudeh)lagaaye ke qeemat badh jaane par oonhein bech degaa to zaruri hai ke uumeedo ki aur darakhto ki nasho numa, khudru ya kaasht kiye hue paudeh, khusk shuda lakdiyaa jo kaat kar istefaada karne ke qaabil ho gayi hon aur baagh ki badhi hui qeemat ka khums de. Laikin agar ooska iraada yeh raha ho ke oon darakhto ke phal bech kar oon se nafa kamaaye ga to qeemat ki izaafi miqdaar ka khums zaruri nahi, baaqi har cheez ka khums dena zaruri hai.
1662. Agar koi shakhs baer, mushk, aur chinaar waghaira ke darakht lagaaye to zaruri hai ke har saal oonke bahdne ka khums de aur isii tarah agar oon darakhto ki shakon se nafa kamaaye jo amuman har saal kaati jaati hai agar ooski aamdani ooske saal bhar ke akhrajaat se zayaada hai to zaruri hai ke ooska khums de.

1663. Agar kisi shakhs ki aamdani ke mut'adad zariye ho, maslan apne sarmaaye se oosne shakkar bhi khareed rakhi ho aur chaawal bhi, agar oon tamaam zara'aye tejaarat ki aamdani aur akhrajaat aur tamaam raqam ka hisaab kitaab yakja ho to zaruri hai ke saal ke khaatme par jo jo kuch ooske akhrajaat se za'ed ho ooska khums ada kare. Agar ek zariye se na'feh kamaayi aur dusre zariye se nuqsaan uuthaaye to woh ek zariye ke nuqsaan ka dusre zariye ke nuqsaan se tadraak kar sakta hai. Laikin agar oos ke do mukhtalif paise ho maslan tejaarat aur zaraa'at ho ya ek aur paisa ho laikin mukhtalif cheezon ka sabab ka hisaab-o-kitaab bilkul juda ho to oon dono suuraton mein ehtayaat-e-waajib ki bina par woh ek paise ke nuqsaan ka tadraak dusre paise ke nafe se nahi kar sakta.
1664. Insaan jo akhrajaat faayeda haasil karne ke liye maslan dalaali aur baa rbardaari ke silsile mein kharch kare isi tarah aalaat aur wasa'el par jo nuqs aaye to oonhein moonafe mein se minha kar sakta hai aur ootni miqdaar ka khums ada karna waajib nahi.
1665. Kaar-o-baar ke moonaafe se jo koi shaks saal bahr mein jo kuch khuraak, libaas, ghar ke saaz-o-saamaan, makaan ki kharidi, bete ki shaadi, beti ka jahez aur ziyaarat waghairah par kharch kare oos par khums nahi hai par bashart ke aise akhrajat oos ki haisiyat se zayaada nahi ho.
1666. Jo maal insaan mannat ke kaffare par kharch kare woh salaana akhrajaat ka hissa hai. Isi tarah woh maal bhi ooske saalaana maal ka hissa hai jo woh kisi ko tohfe ya in'aam ke taur pe de basharte ooski haisiyat se zayaada na ho.
1667. Agar riwaaj iis baat ka ho ke insaan apni ladki ka jahez chand saalo mein batadreej bana de aur jahez tayyar karna ooski shaan ke khilaaf ho, chahe oosi a'itbaar se ke woh a'in vaqt par saara jahez tayyar na kar paayega aur woh saal ke dauraan oosi moonaafe se kuch jahez khareede jo ooski haisiyat se badh kar na ho aur arfi a'itbar se jahez ki itni miqdar ooske saal ke akhrajaat mein se samjhi jaaye to oospar khums dena laazim nahi hai aur agar woh jahez ooski haisiyat se badh kar ho ya ek saal ke moonaafe se dusre saal mein tayyar kiya gaya ho to oos par khums dena zaruri hai.
1668. Jo maal kisi shakhs ne ziyaarat_Baitullah (Hajj) aur dusri ziyaarat ke safar mein kharch kiya ho woh oos saal ke akhrajaat mein shumaar hota hai jis saal mein kharch kiya jaaye agar ooska safar saal se zayaada lamba ho jaaye to jo juch woh dusre saal mein kharch karega ooska khums dena zaruri hai.
1669. Jo shakhs kisi paise ya tejaarat se moonafa haasil kare agar ooske paas koi aur maal bhi ho jis par khums waajib nahi ho to woh apne saal bhar ke akhrajaat ka hisaab faqt apne moonaafe ko madde nazar rakhte hue kar sakta hai.
1670. Jo saamaan kisi shakhs ne saal bhar ist'emaal karne ke liye apne moonaafe se kahreeda ho agar saal ke aakhir mein oos mein se kuch bach jaaye to zaruri hai ke ooska khums de aur agar khums oos ki qeemat ki suurat mein dena chahe aur jab woh saamaan khareeda tha ooske muqaabale mein ooski qeemat badh gayi ho to zaruri hai ke ek saal ke khaatme par jo qeemat ho ooska hisaab lagaayega.
1671. Koi shakhs khums dene se pahle apne moonaafe mein se ghar ya ist'emaal ke liye saamaan khareede agar ooski zarurat moonaaf'a haasil hone waale saal ke ba'd khatm ho jaaye to zaruri nahi hai ke ooska khums de aur agar dauraaan-e-saal ooski zarurat khatm ho jaaye laikin woh saamaan oon cheezon mein se ho jo amuman aa'enda saalo mein ist'emaal ke liye rakhi jaati hain jaise sardi aur garmi ke kapde to oonpar khums nahi hota. Is suurat ke al'awa dauraan-e-saal agar oos saamaan ki zarurat khatm ho jaaye to ehtayaat-e-waajib yeh hai ke ooska khums de. Aurat ke liye jin zevraat ko bataure zeenat ist'emaal karne ka zamaana guzar jaaye to oos par bhi khums nahi hai.

1672. Agar kisi shakhs koi kisi saal mein moonafa na ho to woh oos saal ke akhrajat ko aa'enda saal ke moonafe se minha nahi kar sakta.
1673. Agar kisi shakhs ko saal ke shuru mein moonaaf'a na ho aur woh apne sarmaaye se kharch oothaaye aur saal ke khatm hone se pahle oose moonaaf'a ho jaaye to oosne jo kuch bhi sarmaaye mein se kharch kiya hai oose moonaafe se minha kar sakta hai.
1674. Agar sarmaaya ka kuch hissa tejaarat waghairah mein doob jaaye to jis qadr sarmaaya dooba ho insaan ootni miqdaar mein oos saal ke moonaafe mein se minha kar sakta hai.
1675. Agar kisi ke maal mein sarmaaye ke a'lawa koi aur cheez bhi zaaya ho jaaye, agar oose oosi saal mein oos cheez ki zarurat pad jaaye to woh oos saal ke dauraan apne moonaafe se muhhayya kar sakta hai, oos par khums nahi hai.
1676. Agar kisi shakhs ko saaal bhar koi moonaaf'a na ho aur woh apne akhrajaat karz lekar poora karne ke liye karz le aur saal kahtm hone se pahle moonafa kamaaye to apne karze ki raqam os moonaafe se minha kar sakta hai. Isii tarah pehli suurat mein woh oos karze ko apne sal ke moonaafe se ada kar sakta hai aur moonaafe ki oos miqdaar se khums ka koi ta'lluq nahi.
1677. Agar koi shakhs maal bhadaane ki garz se ya aise amlaak khareedne ke liye jiski oose zarurat na ho karz le to agar woh oos saal ke moonaafe mein se khums ada kiyr baghair woh karza ada karde to saal guzarne par zaruri hai ke oos cheez ka khums ada kare, siwaaye is suurat mein ke karze mein liya hua maal oos ke maal se khareedi gayi cheez ke dauraan hi khatm ho jaaye.
1678. Insaan har oos cheez ka jis par khums waajib ho chuka ho oosi cheez ki shakl mein khums de sakta hai aur agar chahe to jitna khums oospar waajib ho ooski qeemat ke barabar raqam bhi de sakta hai. Laikin agar kisi dusri jins ki suurat mein jis par khums waajib na ho dena chahe to mehel ishkaal hai bajuz iske ke aisa karna haakim-e-shar'a ki ijaazat se ho .
1679. Jis shakhs ke maal par khums waajibul ada ho aur saal guzar gaya ho laikin oosne khums na ada kiya ho to woh oos maal mein tasarruf nahi kar sakta.
1680. Jo shakhs ko khums ada karna ho woh yeh nahi kar sakta hai ke khums ko apne zimme le ya'ni apne aap ko khums ke mustaheqeen ka makrooz tasawwur kare aur saara maal ist'emaal karta rahe aur agar ist'emaal kare aur agar woh maal talaf ho jaaye to zaruri hai ooska khums de.
1681. Jis shakhs ko khums ada karna ho agar woh haakim-e-shar'a se mufaehamat karke khums ko apne zimme le le to maal ist'emaal kar sakta hai aur mufaehamat ke ba'd jo moonaaf'a osse haasil ho woh ooska apna maal hai. Albatta zaruri hai ke apna khums wala karza batadreej tarah ada kare ke oose khums ada karne mein sakhti kaha jaa sake.
1682. Jo shakhs kaar-o-baar mein mein kisi dusre ke saath shareeq ho agar woh apna moonaaafe par khums de de aur ooska hisse daar na de aur aa'enda saal woh hisse daar oos maal ko jiska khums oosne nahi diya hai saanjhe mein sarmaaye ke taur par pesh kare to woh shakhs(jisne khums diya ho) agar shi'a ashna ashari musalmaan ho to oos maal ko ist'emaal kar sakta hai.
1683. Agar naa baaligh bachche ko koi moonaaf'a hasil ho chahe tohfo ki suurat mein hi ho aur dauraan-e-saal woh bachche ki zaruriyzat mein ist'emaal na ho to oos par khums dena hoga aur ooske wali par waajib hai ke ooska khums de aur agar wali khums na de to baaligh hone ke ba'd ke woh khud ooska khums de.
1684. Jis shakhs koi kisi dusre shakhs se koi maal mile aur oose shak ho ke (maal dene waale) dusre shakhs ne ooska khums diya hai ya nahi to (woh maal haasil karne wala shakhs) oos maal mein tassarruf kar sakta hai. Balkeh agar yaqeen bhi ho ke oos dusre shakhs ne khums nahi bhi diya tab bhi agar woh shi'a ashna ashari musalmaan ho to oos maal mein tassarruf kar sakta hai.

1685. Agar koi shakhs saal ke moonaafe se koi aisi cheez khareede jo ooski saal bhar ki zaruriyaat aur akhrajaat mein shumaar na ho to oospar waajib hai ke os saal ke khaateme par ooska khums de aur agar khums na de aur oos cheez ki qeemat badh jaaye to laazim hai ke maujooda qeemat par khums de.
1686. Agar koi shakhs koi cheez khareede aise mal se jiska khums nahi diya gaya ho aur oos par ek saal guzar chuka ho, ooski qeemat ada kare aur phir ooski qeemat badh jaaye, maslan kheti baadi ke liye zameen khareedi ho to zaruri hai ki qeemat khareed par khums de maslan agar bechne waale ko woh raqam di ho jis par khums diya na gaya ho aur oose kaha gaya ho ke main yeh jaayedaad oos raqam se khareedta hoon to zaruri hai ke oos jaa'yedaad ki maujooda qeemat par khums de.
1687. Jis shakhs ne shuru se(ya'ni jab se oospar khums ki adaae'gi waajib hui) ya chand saalo se khums na diya ho agar oosne apne kaarobaar ke moonaafe se koi aisi cheez khareedi ho jiski oose zarurat na ho aur oose kaarobaar shuru kiye hue ya agar kaaro baar na ho to moonaaf'a kamaaye ek saal guzar gaya ho to zaruri hai ke ooska khums de aur agar oosne ghar ka saaaz o samaan aur zarurat ki cheez apni haisiyat ke mutabiq khareedi ho aur jaanta ho ke oos ne woh cheez saal ke dauraan oos moonaafe se khareedi hai jis saal mein oose moonaaf'a hua hai aur oosi saal mein oonhein ist'emaal bhi kar liya hai to oon par khums dena laazim nahi. Laikin agar oose ma'loom na ho ke ehtayaat-e-waajib ki bina par zaruri hai ke haakim-e-shar'aa se ehtimaali nisbat par mafaehamaat kare ya'ni maslan 50 fisad par khums waajib ho gaya to zaruri hai ke oos ka 50 fisad khums ke taur par de.

Ma'adani kaane

1688. Sone, chaandi, seese, taambe, lohe,(jaisi dhatu ki kaane) neiz paetroleum, koyle, firoze, aqiq, phitkari ya namak ki kaane aur (isi tarah ki) dusri kaane anfaal ke zimre mein aati hain ya'ni woh Imaam-e-Asr (a. s) ki milqiyat mein hain. Laikin agar koi shakhs oon mein se koi cheez nikaale ya jab ki koi harj na ho to woh oose apni milqiyat qaraar de sakta hai aur agar woh cheez nisaab ke mutabiq ho to zaruri hai ke ooska khums nikaale.
1689. Kaan se nikli hui cheez nisaab ke mutabiq 15 misqaal sikke daar sona ho ya'ni agar kaan se nikaali hui kisi cheez ki qeemat zaruri akhrajaat nikaalne ke ba'd 15 misqaal sikke daar sone tak pohoonch jaaye to zaruri hai ke ooske ba'd oos par jo akhrajaat aaye ho jaise oos dhaat ko khaalis banaane ke akhrajaat, oonhein minha kar jo baaqi bache ooska khums nikaale.
1690. Jis shakhs ne kaan se moonaaf'a kamaaya ho jo cheez kaan se nikaali ho agar ooski qeemat 15 misqaal siqqa daar sone tak pohoonch jaaye to oos par khums tab waajib hoga jab sirf moonafaa ya dusre moonaafe oos moonafa ko mila kar oos ke saal bhar ke akhrajaat se zayaada ho jaaye.
1691. Gypsum aur choone par ehtayaat-e-laazim ki bina par ma'dani cheezon ka hukm ka itel'aq hota hai lehaaza agar yeh cheezein agar had-e-nisaab tak pohoonch jaaye to saal bhar ke akhrajaat nikaalne se pahle khums dena zaruri hai.
1692. Jo shakhs kaan se koi cheez nikaale to zaruri hai ke ooska khums de khawah woh kaan zameen ke oopar ho ya zer-e-zameen mein ho jo ooski milqiyat ho ya aisi koi zameen mein ho jis ka koi maalik na ho.
1693. Agar koi shakhs ko yeh ma'loom na ho ke jo cheez oosne kaan se nikaali hai ooski qeemat 15 misqaal sikke daar sone ke barabar hai ya nahi to ehtayaat-e-laazim yeh hai ke agar mumkin ho to wazan kare ya kisi aur tariqe se ooski qeemat ma'loom kare aur agar mumkin na ho to oos par khums waajib nahi hai.

1694. Agar kayi afraad mil kar kaan se koi cheez nikaale aur ooski qeemat 15 misqaal sikke daar sone ke barabar tak pohoonch jaaye laikin oon mein se har ek ka hissa ooski miqdaar se kam ho to oospar khums waajib nahi.
1695. Agar koi shakhs oos ma'dani cheez ko aisi zameen ke neeche se jo dusre ki milqiyat mein ho ooski ijaazat ke baghair ooski zameen khod kar nikaale to masshoor qaul yeh hai ke "jo cheez dusre ki zameen se nikaali jaa rahi ho woh ooske malik ki hai" laikin yeh baat ishkal se khaali nahi aur behtar yeh hai ke ba'ham ma'mela tay kare aur agar aapas mein samjhauta na ho sake to haakim-e-shar'aa ki taraf ruju kare take woh oos tanaaze ka faisla kare.

Ghada hua Dafinaa

1696. Dafina woh moontaqil shuda maal hai jo chhupa hua ho aur logo ki dastaras se nikal chuka ho aur jise zameen, darakhat, pahaad ya diwaar mein chupaaya ho, jabke ma'mulan woh aisi jagah nahi hota.
1697. Agar insaan ko kisi aisi zameen se koi dafina mile jo kisi ki milqiyat nahi ho ya mawaat aur khud oosne zameen par mehnat kar ke oose apni milqiyat mein liya ho to woh aisa kar sakta hai laikin ooska khums dena zaruri hai.
1698. Dafine ka nisaab 105 misqaal siqqa daar chaandi aur 15 misqaal siqqa daar sona hai ya'ni jo cheez dafine se mile agar oon ki qeemat oon dono mein se kisi ek ke bhi barabar ho to oospar khums dena waajib hai.
1699. Agar kisi ko kisi aisi zameen se jo oosne kisi se kareedi ho maslan ijaare waghaira se oospar haqq-e-tasarruf haasil kiya ho koi aisa dafina mile jiska ta'alluq kisi musalmaan ya kaafir zimmi se na ho, ya agar ho to itne qadeem zamaane se ta'alluq ho ke jis ke ba'd ooske kisi bhi waaris ko talaas nahi kiya jaa sake to woh oose milqiyat mein le sakta hai aur oospar khums dena bhi zaruri nahi hai. Agar Aqli ehtemaal ho ke yeh sabeqa malik ka maal hai jabke zameen aur isi tarah adfina ya woh jagah zamnan zameen mein shaamil hone ki bina par ooska haq ho to zaruri hai ke oose it'tela kar de ab agar woh oos maal ka da'awa kare to woh maal oose de de aur agar da'awa na kare to oos shakhs ko it'tela de jo oose bhi pahle oos zameen ka maalik tha aur oos par ooska haq tha aur isii tarteeb se oon tamaam logo ko khabar de jo khud oos se pahle oos zameen ke maalik rahe hon aur oos par oonka haq ho. Ab agar oon mein se koi ooska da'awa na kare aur oose bhi yaqeen na ho ke yeh kisi ghair-e-qadeem musalmaan ya kaafir zimmi ka maal hai to phir woh oose apne qabze main le sakta hai. Laikin ooska khums dena zaruri hai.
1700. Agar kisi shakhs ko ek vaqt mein chand jagaho se maal mile jiski maj'muyi qeemat 105 misqaal chaandi ya 15 misqaal sone ke barabar ho to zaruri hai ke oos maal ka khums de laikin agar mukhtalif auqaat mein dafina mile to zayaada faasle na hone ki suurat mein oon tamaam ki ek qeemat saath lagaayi jayegi laikin agar faasla zayaada ho to har ek ki alaihda qeemat lagaayi jaayegi.
1701. Jab do ashkaash ko aisa dafina mile jiski qeemat 105 misqaal chaandi ya 15 misqaal sone tak pohoonchti ho laikin oon mein se har ek ka itna hissa na banta ho to oos par khums ada krana zaruri nahi hai.
1702. Agar koi shakhs jaanwar khareede aur ooske paet mein se koi aisa maal mile to agar che oose ehtemaal ho ke yeh maal bechne waale se pahle maalik ka hai aur woh jaanwar par jo kuch ooske paet se baraamad hua hai oos par haq rakhta hai to zaruri hai ke oose ittela kar de aur agar ma'loom ho ke woh maal oon mein se kisi ka bhi nahi hai aur ooski miqdaar nisaaab tak ho to zaruri hai ke ooska khums de balkeh ehtayaat-e-laazim yeh hai ke oos ka khums de aur agar che maal dafine ke nisaab ke barabar na ho aur baaqi maal ooski milqiyat hoga aur yeh hukm mahli aur oos jaise dusre jaanwaro ke liyee bhi hai jin ki koi shakhs ki makhsus jagah mein afzaa'esh

parosh kare aur oon ki ghiza ka intezaam kare aur agar samandar ya darya se pakde to kisi ko ooski it'tela dena laazim nahi.

Woh halaal maal jo haraam maal mein makhloot ho jaaye

1703. Agar halaal maal haraam maal ke saath is tarah mil jaaye ka insaan oonhein ek dusre se alag na kar sake aur haraam maal ke maalik aur oos maal ki miqdaar ka bhi 'ilm na ho aur yeh bhi ilm na ho ke haraam maal ki miqdaar khums se kam hai ya zayaada to tamaam maal ka khums nikaalne se woh maal halaal ho jaata hai aur ehtayaat-e-waajib ki bina par zaruri hai ke kisi aise shakhs ko de jo khums aur radde mazaalim ka mustaheq ho.
1704. Agar halaal maal haraam maal se mil jaaye aur insaan haraam ki miqdaar-khawah woh khums se kam ho ya zayaada- jaanta ho laikin ooske maalik ko na janta ho to zaruri hai ke ootni miqdaar oos saal ke maalik ki taraf se sadqa kar de aur ehtayaat-e-waajib yeh hai ke haakim-e-shar'a se bhi ijaazat le.
1705. Agar halaal maal haraam se mil jaaye aur insaan ko haraam ki miqdaar ka ilm na ho laikin oos maal ke maalik ko pehchaanta ho aur dono ek dusre ko raazi na kar sake to zaruri hai ke jitni miqdaar ke baare mein yaqeen ho ke dusre ka maal hai woh oose de de. Balkeh agar woh maal ooski apni ghalti se makhloot huye ho to ehtayaat ki bina par maal ki zayaada miqdaar ke baare mein ehtemaal ho ke yeh dusre ka hai woh oose dena zaruri hai.
1706. Agar koi shakhs haraam se makhloot halaal maal ka khums de de aur ba'd mein oose pata chale ke haraam ki miqdaar khums se zayaada thii to zaruri hai ke jitni miqdaar ke baare mein ehtemaal ko ke yeh dusre ka hai woh oose dena zaruri hai.
1707. Agar koi shakhs haraam se makhloot halaal maal ka khums de ya aisa maal jiske maalik ko na pehchaanta ho maal ke maalik ki taraf se sadqa kar de aur ba'd mein ooska maalik mil jaaye to to agar woh raazi na ho to ehtayaat-e-laazim ki bina par ooske maal ke barabar oose dena zaruri hai.
1708. Agar halaal maal haraam maal se mil jaaye aur haraam ki miqdaar ma'loom ho aur insaan jaanta ho ke ooska maalik chand logo mein se hi koi ek hai laikin yeh na jaanta ho ke woh kaoon hai to zaruri hai ke oon sab ko ittela de. Chunanche oon mein se koi ek kahe ke yeh mera maal hai aur dusre kahe ke yeh hamara maal nahi hai ya oos pahle ki tasdeeq kare to oosi pahle shakhs ko woh maal de aur agar do ya do se zayaada afraad kahe ke yeh maal hamara hai to sulaah ya isi tarah kisi tariqe se woh mama'la hal na ho to zaruri hai ke tanaaze ke hal ke liye Haakim-e-Shar'a se ruju kare aur agar woh sab la-ilmi ka izahaar kar ya baa'ham sulah bhi na kare to zaahir yeh hai ke oos maal ke maalik kii taa'een qur'a andaazi ke zariye hoga aur ehtayaat yeh hai ke Hakim-e-Shar'ra ya ooska wakil qur'a andaazi kare.

5. Ghawaasi se haasil kiye hue moti

1709. Agar ghawaasi ke zariye ya'ni samoondar mein ghota lagaakar lau lau marjaan, ya dusre moti nikaale jaaye to khawah woh aisi cheezon mein se ho jo uugti hai ya ma'adinaat mein se ho, agar ooski qeemat 18 chane sone ke barabar ho jaaye to zaruri hai ke ooska khums diya jaaye, khawah oonhein ek dafa' mein samoondar se nikaala gaya ho ya ek se zayaada dafa' mein ba sharte pehli aur dusri dafa' ghota lagaane mein zayaada faasla na ho. Haan! agar do do martaba mein faasla zayaada ho maslan agar yeh do mausamo mein ghawaasi ki ho aur har ek dafa' mein 18…. sone ki qeemat ke barabar na ho to ooska khums dena waaajib nahi hai aur isi tarah jab ghawaasi mein shareeq tamaam ghota khoro mein mein se har ek ka hissa 18 chane sone ki qeemat ke barabar na ho to oon par bhi ooska khums dena waajib nahi hai.

1710. Agar samandar mein ghota lagaaye baghair dusre zaraaye se moti nikaale jaaye to ehtayaat ki bina par oon par khums waajib hai. Laikin agar koi shakhs paani ki satah se ya samandar ke kinaare se moti haasil kare to oonka khums oose oos suurat mein dena zaruri hai jab woh moti oose dastayaab ho aur tanha ya ooske kaarobaar ke dusre moona'afe se mil kar ooske saal bhar ke akhrajaat se zayaada ho.

1711. Machhliyon aur oon jaise dusre (aabi) jaanwaro ka khums jinhein insaan samandar mein ghota lagaye baghair hasil karta hai is suurat mein waajib hota hai jab oon cheezo se haasi lkarda moonaaf'a tanha ya kaarobaar ke dusre moonaafe se mil kar ooske saal bhar ke akhrajat se zayaada ho.

1712. Agar insaan koi cheez nikaalne ka iraada kiye baghair samandar mein ghota lagaaye aur ittefaaq se koi moti ooske haath lag jaaye aur woh oose apni milqiyat mein lene ka iraada kare to ooska khums dena zaruri hai balkeh ehtayaat-e-waajib yeh hai ke har haal mein ooska khums de.

1713. Agar insaan samandar mein ghota lagaaye aur koi jaanwar nikaal laaye aur ooske paet mein se oose koi moti mil jaaye agar woh jaanwar seepi ke maa'nind ho jiske paet mein amuman moti hote hain aur woh nisaab tak pohoonch jaaye to zaruri hai ke ooska khums de aur agar woh koi aisa jaaanwar ho jisne ittefaqan moti nigal liya ho to ehtayaat-e-laazim yeh hai ki agarche woh nisaab tak na bhi pohooncha ho tab bhi ooska khums de.

1714. Agar koi shakhs bade dariyaaon mein maslan dajla ya furaat mein ghota lagaaye aur moti nikal aaye to zaruri hai ke ooska khums de.

1715. Agar koi shakhs paani mein ghota laagaaye aur kuch a'nbar nikaal laaye aur ooski qeemat 18 chane sone se zayaada ho to zaruri hai ke ooska khums de balkeh agar paani ke saath ya samandar ke kinaare se bhi haasil kiya ho tab bhi yahi hukm hai.

1716. Jis shakhs ka pesha ghota khori ya kaan kani ho agar woh oon ka khums ada kare aur phir oos ke saal bhar ke akhrajaat se kuch bach jaaye to ooske liye laazim nahi hai ke dobaara khums ada kare.

1717. Agar bachha koi ma'dani cheez nikaale ya oose koi dafina mil jaaye ya samandar mein ghota laagakar moti nikaal laaye to bachche ke wali ooska khums de aur agar wali khums na ada kare to zaruri hai ke bachcha baaligh hone ke ba'd khud khums ada kare aur isi tarah agar ooske paas halaal maal mein haraam maal mila hua ho to zaruri hai ke ooska wali oon ke ehkaam ke mutabiq amal kare jo oos qism ke maal ke baare mein bayaan kiya gaye hain.

6. Maal-e-Ghanimat

1718. Agar musalmaam Imaam (a. s) ke hukm se kuffaar se joong kare aur jo cheezein joong mein oonke haath lage oonhein "ghanimat" kaha jaata hai . maal-e-ghanimat mein khums saabit hone mein ashyay-e-manqula aur ghair-e-manqula mein koi farq nahi hai. Han! jin zameeno ka ta'aluq 'anfaal"se hai woh tamaam musalmaano ki milqiyat hai agarche joong Imaam(a. s) ke hukm se na ho.

1719. Agar musalmaan kaafiro se Imaam (a. s) ki ijaazat ka baghair joong kare aur oon se maal-e-ghanimat haasil ho to jo ghanimat haasil ho woh Imaam (a. s) ki milqiyat hai aur joong karne waalo ka oos mein koi haq nahi hai.

1720. Jo kuch kaafiron ke haath mein hai agar ooska maalik mohtaram-ul-maal ya'ni musalmaan ya kaafir-e-zimmi ya m'ahid ho to oos par ghanimat ke ehkaam jaari nahi honge.

1721. Kaafir-e-harbi ka maal churaana ya oos jaisa koi kaam karna agar khayaanat aur naqse aman mein shumar hota ho to haraam hai. Aur is tarah ki jo cheezein oon se haasil ki jaaye ehtayaat ki bina par zaruri hai ke oonhein lauta di jaaye.

1722. Masshhoor yeh hai ke naasibi ka maal momin apne liye le sakta hai albatta ooska khums de laikin yeh hukm ishkaal se khaali nahi hai.

Woh zameen jo kisi zimmi kaafir ya musalmaan se kharidi ho

1723. Agar kaafir zimmi musalmaan se zameen khareede to masshoor qaul ki bina par ooska khums oosi zameen se ya apne kisi dusre maal se de laikin is suurat mein khums ke aam qawa'ed ke mutabiq khums ke waajib hone mein ishkaal hai.

Khums ka massraf

1724. Zaruri hai ke khums do hisso mein taqseem kiya jaaye. Ooska ek hissa sa'daat ka hai aur zaruri hai ke kisi faqeer sayyed ya yateem sayyed ya aise sayyed ko diya jaye jo safar mein laa chaar ho gaya ho aur dasra hissa Imaam(a. s. s) ka hai jo zaruri hai ke maujooda zamaane mein jaa'me shara'e mujtahid ko diya jaaye ya aise kaamo jiski woh mujtahid ijaazat de kharch kiya jaaye aur ehtayaat-e-laazim hai ke woh marja'e a'lam ho aur masslehato se aagaah ho.
1725. Jis yateem sayyed ko khums diya jaaye zaruri hai ke woh faqeer bhi ho laikin jo safar mein la chaar ho jaaye woh khawah apne watan mein faqeer na ho tab bhi oose khums diya jaa sakta hai.
1726. Jo sayyed safar mein na chaar ho gaya ho agar oos ka safar goonaah ka safar ho to ehtayaat-e-waajib ki bina par zaruri hai ke oose khums na diya jaaye.
1727. Jo sayyed a'dil na ho oose khums diya jaa sakta hai laikin jo sayyed ishna ashari na ho zaruri hai oose khums na diya jaaye.
1728. Jo shakhs khums ko goonaah ke kaam mein ist'emaal kare oose khums nahi diya jaa sakta balkeh oose khums dene mein oose goonaah karne mein madad hoti ho to ehtayaat-e-waajib yeh hai ke oose khums na diya jaaye chahe woh oose goonaah mein ist'emaal nab hi kare. Isii tarah ehtayaat-e-waajib yeh hai keh oos sayyed ko bhi khums na diya jaye jo sharaab peeta ho ya namaaz na padhtaa ho ya a'lania goonaah karta ho.
1729. Jo shakhs kahe ki main sayyed hoon oose oos vaqt tak khums na diya jaaye jab tak do a'adil ashkhaas ooske sayyed hone ki tasdeeq na kar de ya insaan ko kisi bhi tariqe se yaqeen ya itminaan ho jaaye ke woh sayyed hai.
1730. Koi shakhs apne shahar mein masshhoor ho ke woh sayyed hai, agar insaan ko is ke barkhilaaf baat par yaqeen ya itminaan na ho to oose khums diya jaa sakta hai.
1731. Agar kisi shakhs ki biwi saydaani ho to ehtayaat-e-waajib ki bina par zaruri hai ke shauhar oose oos maqsad ke liye khums na de ke woh oose apne zaati ist'emaal mein le aaye laikin agar dusre logo ki kafaliyat oos aurat pe agar waajib ho aur woh oon akhrajaat ki ada'egi se qaasir ho to insaan ke liye jayez hai ke woh apni biwi ko khums de takeh woh zere kafaliyat logo par kharcha kare isi tarah oos aurat ko apne ghair waajib akhrajaat par sirf karne ke liye khums dene ka bhi yahi hukm hai.
1732. Agar insaan par kisi sayyed ke ya aisi saydaani ke akhrajaat waajib ho jo ooski biwi na ho to ehtayaat-e-waajib ki bina par woh oos sayyed ya saydaani ki khuraaq aur poshaak ke akhrajaat aur baaqi waajib akhrajaat apne khums se ada nahi kar sakta. Han! Agar woh oos sayyed ya saydaani ko khums ki kuchh raqam is maqsad se de ke woh waajib akhrajaat ke a'lawa oose dusri zaruriyaat par kharch kare to khums dene mein koi harj nahi hai.
1733. Agar kisi faqeer sayyed ke akhrajaat kisi dusre shakhs par waajib ho aur woh shakhs oos sayyed ke akhrajaat bardaasht na kar sakta ho ya istetaa'at rakhta ho laikin na deta ho to oos sayyed ko khums diya jaa sakta hai.

1734. Ehtayaat-e-waajib yeh hai ke kisi ek faqeer sayyed ko ooske ek saal ke akharajaat se zyaada khums na diya jaaye.
1735. Agar kisi shakhs ke shahar main koi mustaheq na ho to khums ko dusre shahar le jaa sakta hai balkeh agar khums ki ada'eegi mein sakhti na samjhi jaaye to mustaheq ke hote hue bhi dusre shahar le jaa sakta hai. Laikin har suurat mein agar khums talf ho jaaye to talf shuda miqdaar ka zaamin hai chaahe ooski hifaazat mein kotaahi na ki ho aur khums dusri jagah le jaane ke akhrajaat bhi oos khums mein se nahi le sakta.
1736. Agar koi shakhs Haakim-e-shar'a ya ooske wakil ki waqalat mein khums ki raqam wasool kare to woh badi zimme ho jaata hai aur agar oon do mein se kisi ek ki ijaazat se dusre shahar le jaaye aur baghair kotahi ke talf ho jaaye to woh zaamin nahi.
1737. Yeh jaayez nahi hai keh kisi cheez ki qeemat ooske asl qeemat se zyaada lagakar oose bataure khums diya jaaye aur jaisa ki massla no. 1756 mein bataya gaya hai ke kisi dusri jins ki shakl mein khums ada karna mutlaqan mehle ishkaal hai. Siwaaye is ke ke Haakim-e-shar'a ya oos ke vaqeel ki jaazat ho.
1738. Jo shakhs ko khums ke mustaheq shakhs se kuch lena ho aur woh chaahta ho ke apna karza khums ki raqam se minha kar le too ehtayaat-e-waajib ki bina par zaruri hai ke ya to haakim-e-shar'aa se ijaazat le ya khums oos mustaheq ko de aur ba'd mein mustaheq shakhs oose woh maal karze ki adae'egi ke taur par lauta de aur woh yeh bhi kar sakta hai keh khums ke mustaheq shakhs ki ijaazat se ooska vaqeel bankar khud ooski taraf se khums le le aur oose apna karza chuka le.
1739. Maalik, khums ke mustaheq shakhs se yeh shart nahi kar sakta ke woh khums lene ke ba'd oose waapas lauta de.

Zakaat ke ehkaam

1740. Zakaat chand cheezon par waajb hai.

(1) Gehoon (2) Jow (3) Khajoor (4) Kishmish (5) Sona (6) Chaandi (7) Oont (8) Gaaye (9) Bhed bakri (10) Ehtayaat-e-laazim ki bina par maal-e-tijaarat

Agar koi shakhs iin 10 cheezon mein se kisi ek cheez ka maalik ho to shaara'et ke tehat jo ba'd mein bayaan kiya jaayega zaruri hai ke jo miqdaar muqarrar ki gayi hai oose oon massaarif mein se kisi ek mad mein kharch kare jin ka hukm diya gaya hai.

Zakaat waajib hone ki shar'aaet

1741. Zakaat mazkurah 10 cheezon par oos suurat mein waajib hoti hain jab maal oos nisaab tak pohoonch jaaye jiska zikr ba'd mein kiya jaayega aur woh maal insaan ki apni milqiyat ho aur woh ooska maalik-e-zad ho.
1742. Agar insaan 11 mahine gaaye, bhed, bakri, sona, chaandi ka maalik rahe to agarche 12th mahine ki pehli taarikh par zakaat oospar waajib hojaayegi laikin zaruri hai ke agle saal ki ibteda ka hisaab mahine ke khaatme ke ba'd se kare.
1743. Sone, chaandi aur maaal-e-tijaarat par zakaat ke waajib hone ki yeh shart hai ke oon cheezon ka maalik poore saal baaligh aur a'qil ho. Laikin gehoon, khajoor, jow, kishmish aur isi tarah oont, gaaye, bhed, bakriyo mein maalik ka baaligh aur a'qil hona shart nahi hai.
1744. Gehoon aur jow par Zakaat oos vaqt waajib hoti hai jab oonhein "Gehoon" aur "jow" kaha jaaye. Kishmish par zakaat os vaqt waajib hoti hai jab woh abhi angoor ki hi suurat mein ho. Laikin oon mein zakaat ka nisaab dekhne ka vaqt woh hai jab yeh khusk ho jaaye aur gandoom aur jow ki zakaat dene ka vaqt woh hota hai jab yeh galla khaliyaan mein pohoonche aur oon (ki baaliyo) se bhoosa aur (daana) alag kiya jaaye. Jabke khajoor aur kishmish mein yeh vaqt woh

hota hai jab oonhein ootar lete hain. Agar oos vaqt ke ba'd mustaheq ke hote hue bila wajah taakhir kare aur talf ho jaaye to maalik zaamin hai.
1745. Gehoon, jow, kishmish aur khajoor mein zakaat saabit hone ke lie jaisa ke sabeqa massle mein bataya gaya hai. Mo'atbar nahi hai ke oon ka maalik oon ka tasarruf kar sake. Pas agar maalik gaayab ho aur aur maalbhi ooske ya ooske vaqeel ke haath mein na ho maslan kisi ne oon cheezon ko ghasb kar liya ho tab bhi jis vaqt woh maal oosko mil jaaye zakaat oon cheezon mein saabit hai.
1746. Agar gaaye, bhed, oont, sone aur chaandi saal ka kuch hissa masst (behawaas) ya behosh rahe to zakaat oos par se sakit nahi hoti aur isi tarah gehoon, jow aur khajoor, kishmish ka maalik zakaat waajib hone ke mauqe par masst ho jaaye ya behosh ho jaaye to bhi yahi hukm hai.
1747. Gehoon, jow, khajoor aur kishmish ke a'lawa dusri cheezon zakaat saabit hone ke liye shara'et hai ke maalik oos maal mein sharan aur takwiyan tasarruf na kar sakta ho to oos mein zakaat nahi hai.
1748. Agar kis ne son aur chaandi ya koi aisi cheez jis par zakat waajib ho kisi se karze li ho aur woh cheeez ek saal tak ooske paas rahe to zaruri hai ke ooski zakaat de aur jisne karza diya ho oospar kuch waajib nahi hai. Haan! agar karza dene wala ooski zakaat de de to karzdaar par kuch waajib nahi.

Gehoon , jow, khajoor aur kishmish ki zakaat

1749. Gehoon, jow, khajoor oos vaqt waajib hoti hai jab woh nisaab ki had tak pohoch jaaaye aur oon ka nisaab 300 sa'ajo ek giroh (u'lama) ke maqbool taqreeban 847 kilo hota hai.
1750. Jis angoor, gehoon, khajoor aur jow par zakaat waajib ho chuki hai agar koi shakhs ya ooske ahl-o-ayaal oose khlaaye ya maslan woh yeh ijnaas kisi faqeer ko zakaat ke a'lawa kisi aur niyyat se de de to zaruri hai ke jitni miqdaar istemaaal ki ho oospar zakaat de.
1751. Agar gehoon . jow,angoor par zakaat waajib hone ka ba'doon cheezo ka maalik mar jaaye to jitni zakaat banti ho woh ooske maal se deni zaruri hai laikin agar woh shakhs zakaat waajib hone se pahle mar jaaye to har woh waaris jiska hissa nisaab tak pohoonch jaaye zaruri hai kea on hisse ki zakaat khud ada kare.
1752. Jo shakhs Haakim-e-shara ki taraf se zakaat jamaa karne par ma'moor ho woh gehoon aur jow ki khaliyaan mein bhoosa (aur daana) alag karne ke vaqt aur angoor ke khushk hone ke vaqt zakaat ka mutaaleba kar sakta hai aur agar maalik na de aur jis cheez par zakaat waajib ho gayi ho aur woh talf ho jaaye to zaruri heke ooska aewaz de.
1753. Agar kisi shakhs ke khjoor ke darakhto, angoor ki baaliyon ya gehoon aur jow ke khetiyon aur darakhton (ki paidawaar)ka maalik banne ke ba'd oon cheezon par zakaat waajib ho jaaye to zaruri hai ke oon cheezon par zakaat de.
1754. Agar gehoon, jow, angoor par zakaat waajib hone ke ba'd koi shakhs kheto aur darakhto ko bech de to bechne waale par oon ijnaas ki zaaat dena waajib hai aur jab woh zakaat ada kar de to khareedne waale par kuch waajib nahi hai.
1755. Agar koi shakhs gehoon, jow, khajoor ya angor khareede aur oose yeh ilm ho ke bechne waale ne ooski zakaat de di hai ya shak kare ke oosne zakaat di hai ya nahi to oospar kuch waajib nahi hai aur agar oose ma'loom ho ke bechne waale neo on cheezon ki zakaat nahi di hai to zaruri hai ke woh khud oon cheezon ki zakaat de de, laikin agar bechne waale ne oose dhoka diya ho to woh zakaat dene ke ba'd oosse ruju kar sakta hai aur zakaat ki miqdaar ka oosse se mutaleba kar sakta hai.
1756. Agar gehoon, jow, khajoor ya angoor ka wazan tar hone ke ba'd nisaaab tak pohoonch jaaye aur khushk hone ke vaqt oos had se kam ho jaaye to oos par zakaat waajib nahi hai.

1757. Agar koi shakhs gehoon, khajoor, jow ko khushk hone se pahle kharch kar le to agar woh khushk ho kar nisaab tak poori uutre to zaruri hai ke oonki zakaat de.

1758. Khajoor ki teen qismein hain.

(1) Woh jise khushk kiya jaata hai ooski zakaat ke hukm ka bayaan ho chuka hai.

(2) Woh jo ratab (paki hui ras daar) hone ki haalat mein khaayi jaati hain.

(3) Woh jo kachchi hi khaayi jaati hain.

Dusri qism ki miqdaar agar nisaab ki had tak pohoonch jaaye to Ehtayaat –e-mustahab hai ke oos ki zakaat de di jaaye. Jahan tak teesri qism ka taa'lluq hai zaaahir yeh hai ki oos par zakaat waajib nahi hai.

1759. Jis gehoon, kishmish, kahjoor aur jow ki zakaat kisi shakhs ne de di ho agar woh chand saal ooske paas padi bhi rahe tooon par dobaara zakaat waajib nahi hogi.

1760. Agar gehoon, jow aur angoor (ki kaasht) baahrani ya nehraani zameen pe ki jaaye ya misri zaraa'at ki tarah oonhein zameen ki nami se faayeda pohoonche to oon par zakaat daswa hissa hai aur agar oon ki sichaayi (jheel ya kuwe wagahira ke paani se) bazariye dol ki jaaye to oon par zakaat beeswa hissa hain.

1761. Agar gehoon, jow aur angoor (ki kaasht) baarish ke paani se seraab ho aur dol wagairah se bhi faayeda pohoonche agar yeh sichaayi aisi ho ke aam taur par kaha jaa sake ke oonki sichaayi dol waghairah se ki gayi hai to oos par zakaat beeswa hissa hai aur agar yeh kaha jaaye ke yeh neher aur baarish ke paani se seraab hue hain to oon par zakaat daswa hissa hai aur agar sichaayi ki suurat yeh ho ke aam taur par kaha jaaye ke dono zara'e se seraab hue hain to oos par zakaat saade saat fisad hai.

1762. Agar koi shak kare ke aam taur par kaoon se baat sahi samjhi jaayegi aur oose ilm na ho ke sichaayi ki suurat aisi hai ke log aam taur se kahe ke sichaayi dono zaraa'e se hui hai ya yeh kahe ke maslan bearish ke paani se hui hai to agar woh saade saat fisad zakaat de to kaafi hai

1763. Agar woh shak kare aur oose ilm na ho ke amuman log kahe ke dono zaraa'e se sichaayi hui hai ya yeh kehte hai ke dol waghairah se hui hai to oos suurat mein beeswa hissa dena kaafi hai aur agar is baat ka ehtemaal bhi ho ke amuman log kahe ke baarish ke paani se seraab hui hai tab bhi yahi hukm hai.

1764. Agar gehoon, jow, khajoor aur angoor baarish ya neher ke paani se seraab ho aur oonhein dol wagairah ke paani ki haajat na ho laikin oonki sichaayi dol ke paanise bhi hui ho ke paani oose maadani mein izaafe mein koi madad na mili ho to oon par zakaat ka daswa hissa hai aur agar dol waghairah ke paani se sichaayi hui ho aur neher aur bearish ke paani kihajat na ho laikin neher aur bearish ke paani se bhi seraab ho aur oosse aamdani mein izaafe mein koi madad na mili to oon par zakaat ka beeswa hissa hai.

1765. Agar kisi khet ki sichayi dol wagairah se ki jaaye to Ehtayaat-e-mustahab hai ke ooski zakaat de di jaaye aur oosse malheqaana zameen mein kheti baadi ki jaye aur woh malheqaana zameen oos zameen se faayeda ootaaye aur oose sichaayi ki zarurat narahe to jis zameen ki sichaayi dol waghairah se ki gayi hai ooski zakaat beeswa hissa hai aur ooske malhaqa khet ki zakaat Ehtayaat ki bina par daswa hissa hai.

1766. Jo akhrajaat kisi shakhs ne gehoon, jow, khajoor aur angoor par kiye ho oonhein woh fasal ki aamdani se minha kar ke nisaab ka hisaaab nahi laga sakta lehaaza agar oon mein se kisi ek ka wazan akhrajaat ka hisaab lagaane se pahle nisaaab ki miqdaar tak pohoonch jaaye to zaruri hai ke oos par zakaat de.

1767. Jis hskhs ne zara'at mein beej iete'maal kiya ho khwaha woh ooske paas maujood ho ya oosne kharede ho woh nisaab ka hisaab oos beej ko fsal ki aamdani se minha kar ke nahi kar sakta balkeh zaruri hai ke niaab ka hisaab poori fasal ko nadde nazar rakhte hue lagaye.

1768. Jo kuch hukumat asli maal se(jis par zakat waajib ho) batauare mehsool le le oos par zakaat waajib nahi hai. Maslan agar khet ki paidawaar 2000 kilo ho aur hukumat oos mein se 100 kilo bataure lagaan le le to zakaat faqt 1900 kilo par waajib hai.
1769. Ehtayaat-e-waajib ki bina par insaan yeh nahi kar sakta ke jo akhrajat oosne zakaat waajib hone se pahle kiye ho oonhein woh aidawaar se minha kare aur sirf baaqi maan'da zakat de.
1770. Zakaat waajib hone ke ba'd jo akhrajaat kiye jaaye aur jo kuch zakaat ki miqdar ki nisbat kharch kiya jaaye woh paidawaar se minha nahi kiya jaa sakta agarche ehtiayt ki bina par haakim-e-shar'a ya ooske vaqeel se oos ko kharch karne ki ijaazat bhi le li ho.
1771. Kisi shakhs ke liye yeh waajib nahi hai ke woh intezaar kare take jow aur gehoon khaliyan tak pohoonch jaaye aur angoor aur khajoor ke khushk hone ka vaqt ho jaaye phir zakaat de jo hi zakaat waajib ho jayez hai ke zakaat ki miqdaar ka andaza laga kar woh qeemat bataure zakaat de.
1772. Zakaat waajib hone ke ba'd insaan yah kar sakta hai ke khadi fasal kaatne ya khajoor aur angoor ko choonne se pahle zakat, mustaheq shakhs ya Haakim-e-shar'a ya oos ke vakil ko mushtasar ke taur par pesh kar de aur oos ke ba'd woh akhrajaat mein shariq hon.
1773. Jab koi shakhs fasal ya khajoor aur angoor ki zakaat-ul-a'in maal ki shakl mein haakim-e-shar'a ya mustaheq shakhs ya oon ke vakil ko de de to ooske liye yeh zaruri nahi bila mu'aaveza mushtasar ke taur par oon ki cheezon ki hifaazat kare balkeh woh fasal ki kataayi ya khajoor aur angoor ke khusk hone tak maal zakaat apni zameen mein rehne ke badle akhrajaat ka mutaleba kar sakta hai.
1774. Agar insaan chand shehron mein gehoon, jow, khajoor ya angoor ka maalik ho aur oon shehro mein fasal pakne ka vaqt ek dusre se mukhtalif ho aur oon sab shehro se fasal aur meve ek hi vaqt mein dastayaab na hote ho aur yeh sab ek saal ki paidawaae shumar hote ho to agar oon mein se jo cheez pahle pak jaaye woh nisaab tak ke mutabiq ho to zaruri hai ke oos par ooske pakne ke vaqt zakaat de aur baaki maanda ajnaas par oos vaqt zakaat de jab woh dastayaab ho aur agar pahle pakne waali cheez nisaab ke barabar na ho to intezaar kare take baaqi ajnaas pak jaaye. Phir agar sab mila kar nisaab ke barabar ho jaaye to oon par zakaat waajib hai aur agar nisaab ke barabar na ho to oon par zakaat waajib nahi hai.
1775. Agar khajoor aur angoor ka darakht saal mein do dafa phal de aur dono martaba ki paidawaar jamaa karne par nisaab ke barabar ho jaaye to ehtayaat ki bina par oos paidawaar par zakaat waajib hai.
1776. Agar kisi shakhs ke paas ghair khusk shuda khajoor ho ya angoor ho, jo khusk hone ki suurat mein nisaab ke mutabiq ho to agar oon ki taaza hone ki haalat mein woh zakaat ki niyat se oonki itni miqdaar zakat ke musarraf mein le aaye jitni oon ke khusk hone par zakaat ki oos miqdaar ke barabar ho jo oos par waajib ho to oos mein koi harj nahi.
1777. Agar kisi shakhs par khusk khajoor ya kishmish ki zakaat waajib ho to woh oon ki zakaat taaza khajoor ya angoor ki shakl mein nahi de sakta balkeh agar woh khusk khajoor ya kishmish zakaat ki qeemat lagaaye aur angoor ya taaza khajoorein ya koi aur kishmish ya khusk khajoorein oos ki qeemat ke taur par de to oos mein bhi ishkaal hai neiz agar kisi par taaza khajoor ya angoor ki zakaat waajib ho to khusk khajoor ya kishmish de kar woh zakaat nahi de sakta balkeh woh qeemat laagakar koi dusri khajoor ya angoor de to agarche woh taaza hi kyoon na ho oos mein ishkaal hai.
1778. Agar koi aisa shakhs mar jaaye jo makrooz ho aur oos ke paas aisa maal bhi ho jis par zakaat waajib ho chuki ho to zaruri hai ke jis maal par zakaat waajib ho chuki ho pahle oos mein

se tamam zakaat di jaaye aur oos ke ba'd ooska karza ada kiya jaaye. Lekn agar zakaat ooske zimme waajib-ul-ada ho chuki hai ooska hukm bhi baaqi karzo ka hukm hai.
1779. Agar koi aisa shakhs mar jaaye jo makrooz ho aur ooske paas gehoon, jow aur angoor bhi ho aur oos se pahle ke oon ki ajnaas par zakaat waajib ho oos ke paas ke wirsa karza kisi dusre maal se ada kare to jis waaris ka hissa nisaab ke miqdaar tak pohoonchta ho to zaruri hai ke zakaat de aur agar ooe pahle zakaat oon ajnaaspar waajib ho matufi ka karza ada na kare aur agar ooska maal faqt ooske karze jitna ho to wirsa ke liye waajib nahi hai ke oon ajnaas par zakaat de aur agar matufi ka maal ooske karze se zyaada ho jabke matufi par itna karza ho ke agar oose ada karna chaahe to ghehoo, jow, khajoor aur angoor mein se bhi kuch miqdaar karz khawah ko deni padegi to jo kuch karz khawah ko de oos par zakaat nahi hai aur baaqi maannda maal par waariso mein se jiska bhi hissa zakaat ke nisaab ke barabar ho oos ki zakat dena zaruri hai.
1780. Jis shakhs ke paas achi aur ghatiya dono kism ke gehoon, jow, khajoor, aur angoor ho jin par zakaat waajib ho gayi ho ooske liye ehtayaat-e-waajib yeh hai ki achhii waali qism ki zakaat ghatiya qism se na de.

Sone ka nisaab

1781. Sone ke nisaab do hain.

Ooska pehla nisaab 20 misqaal-e-shara'ee hai jabke har misqaal-e-shar'ee 18 nakhuud ka hota hai. Pas jis vaqt sone ki miqdar 20 misqaal-e-shar'ee tak jo aaj kal 15 misqaal ke barabar hote hain, pohoonch jaaye aur woh dusri shara'et bhi poori hoti ho jo bayaan ki jaa chuki hain to zaruri hai ke insaan ooska 40th hissa jo 9 nakhuud ke barabar hota hai zakaat ke taur par de aur agar sona is miqdaar tak na pohoonche to oos par zakaat waajib nahi hai aur ooska dasra nisaab 4 misqaal-e-shar'ee hai jo aaj kal ke 3 misqaal ke barabar hote hain ya'ni agar 15 misqql par 3 misqaal ka izaafa ho jaaye to zaruri hai ke tamaam tar 18 misqaal par 2. 50 fisad ke hisaab se zakaat de aur agar 3 misqaal se kam izaafa ho jaaye to zaruri hai ke sirf 15 misqaal par zakaat de aur is suurat mein izaafe pe zakaat nahi hai aur jo jo izaafa ho ooske liye yahi hukm hai ya'ni agar 3 misqaal izaafa ho to zaruri hai ke tamaam tar miqdaar par zakaat se aur agar izaafa 3 misqaal se kam ho to jo miqdaar badhi hui hai oos par zakaat nahi hai.

Chaandi ka nisaab

1782. Is ka **pahle** nisaab 105 maruja misqaal hai. Lehaaza jab chaandi ki miqdaar 105 misqaal tak pohoonch jaaye aur ooski dusri shara'et bhi poori karti ho jo bayaan ki jaa chuki hai to zaruri hai ke insaan ooska 2. 50 fisad jo 2 misqaal aur 15 nakhuud hai bataure zakaat de aur agar woh oos miqdaar tak na pohoonche to oos par zakaat waajib nahi hai aur ooska **Duusra** Nisaab 21 misqaal hai ya'ni 105 misqaal par 21 misqaal ka izaafa ho to zaruri hai ke sirf 105 misqaal par zakaat de aur jo izaafa hua hai oos par zakaat nahi hai aur jitna bhi izaafa hota jaaye yahi hukm hai ya'ni agar 21 misqaal ka izaafa ho to zaruri hai ke tamaam tar miqdaar par zakaat de aur agar oos se kam izaafa ho to woh jo miqdaar ka izaafa hua hai aur 21 misqaal se kam hai oos par zakaat nahi hai aur agar oose shak ho ke nisaab ki had tak jaa pohoonchi hai to ehtayaat-e-waajib ki bina par zaruri hai ke tehqeeq kare.
1783. Jis shakhs ke paas nisaab ke mutabiq sona ya chaandi ho agarche woh oos par zakaat de de laikin jab tak ooske paas sone chaandi pahle nisaab se kam na ho jaaye zaruri hai ke har saal oon par zakaat de.
1784. Sone aur chaandi par zakaat oos suurat par waajib hoti hai jab who dhale huye sikko ki suurat mein ho aur oon ke zariye lain dain ka riwaaj ho aur agar oon ki marammat bhi ho chuki

ho laikin lain dain ka rawaaj ho to zakaat ada karna zaruri hai laikin agar lain dain ka riwaaj khatm ho chuuka ho to chaahe marammat ho chuki ho zakaat ka ada karna zaruri nahi.

1785. Woh sikke daar sona aur chaandi jinhein aurtein bataure zewar pahenti hon jab tak woh raa'ej hain ya'ni sone aur chandi ke sikkon ke taur par oon ke zariye lain dain hota ho ehtayaat ki bina par oon ki zakaat dena waajib hai laikin agar oon ke zariye lain dain ka rawaaj baaqi na ho to oon par zakaat waajib nahi hai.

1786. Jis shakhs ke paas sona aur chaandi dono ho aur agar oon mein se koi bhi pehli nisaab ke barabar ho maslan ooske pas 104 misqaal chaandi aur 14 misqaal sona ho to oos par zakaat waajib nahi hai.

1787. Jaisa ke pahle bataya gaya hai ke sone aur chaandi par zakaat oos suurat mein waajib hoti hai jab woh 11 mahine nisaab ke miqdaar ke mutabiq kisi shakhs ki milqiyat rahe aur agar 11 mahino mein sona aur chaandi pahle miqdaar se kam ho jaaye to oos shakhs par zakaat waajib nahi hai.

1788. Agar kisi shakhs ke paas sona aur chaandi ho aur 11 mahine ke ba'd oose kisi dusri cheez se badal le ya oonhein pighlaa le to os par zakaat waajib nahi hai. Laikin agar woh zakaat se bachne ke liye sona aur chaandi se badal le ya'ni sone ko sone ya chaandi se ya chaandi ko chaandi ya sone se badal le to ehtayaat-e-waajib hai ke zakaat de.

1789. Agar koi shakhs 12^{th} mahine mein sone ya chaandi ke sikke pighlaaye to zaruri hai yeh hai ke oon par zakaat de aur agar pighlaane ki wajah se oon ka wazan ya qeemat kam ho jaaye to zaruri hai ke oon cheezon ko phiglaane se pahle jo zakaat oos par waajib thi woh de.

1790. Sone aur chaandi ke sikke jin mein ma'mool se zyaada dusre dhaat ki aamejish ho agar oonhein chaandi aur sone ke sikke kaha jaata ho to oos suurat mein jab woh nisaab ki had tak pohoonch jaaye oon par zakaat wajib hai goya oonka khaalis hissa nisaab ki had tak na pohoonche agar oohein sone aur chaandi ke sikke na kaha jaata ho to khwaha oonka khaalis hisa nisaab tak pohoonch bhi jaata ho oon par zakaat waajib nahi hai.

1791. Jis shakhs ke paas sone aur chaandi ke sikke ho agar oon mein dusri dhaat ki aamejish ma'mool ke mutabiq hoto agar woh shakhs oon ki zakaat sone aur chaandi ki aise sikko mein de jin mein dusri dhaat ki aamejish ma'mool se zyaada ho to aise sikko mein de jo sone aur chaandi ke bane hue na ho laikin yeh sikke itni miqdaar mein hon ke oon ki qeemat oos zakaat ki qeemat ke barabar ho jo oos par waajib ho gayi hai to oos mein koi harj nahi hai.

Oont, gaaye aur bhed bakriyo ki zakaat

1792. Oont, gaaye aur bhed bakriyo ki zakaat ke liye oon shar'et ke a'lawa jin ka zikr aa chuuka hai ek shart aur bhi hai aur woh yeh hai ke haiwaan saara sirf (khudru) joonglee ghaas charta raha ho. Lehaaza agar saara saal ya ooska kuch hissa kato hui ghaas khaaye ya aisi chaargah mein chare jo khud oos shakhs ke (ya'ni haiwaan ke maalik ki) ya kisi dusre shakhs ki milqiyat ho to oos haiwaan par zakaat waajib nahi hai agar woh haiwaan saal bahr mein ek mukhtasar miqdaar maalik ki mamlooka ghaas(ya chaara)khaaye jabke ab bhi aarefan oose kaha jaa sake ke oosne baahr hi ki ghaas khaayi hai to ooski zakaat waajib hai . Laikin oont, gaaye aur bhed ki zakaat ke waajib hone mein shart yeh nahi hai ke saara saal haiwaan be kaar rahe balkeh agar aabyaari ya hal chalaane ya oon jaise umuur mein oon haiwaano ka istefaada kiya jaaye jabke aarefan kaha jaa sake ke yeh saara saal bekaar rahe hain to oon ki zakaat dena zaruri hai balkeh agar na kaha jaa sake tab bhi ehtayaat ki bina par zaruri hai ke oon ki zakaat de.

1793. Agar koi shakhs apne oont gaaye aur bhed ke liye ek aisi chaaragaah khareede jise kisine kaasht na kiya ho ya oose kiraaye (ya thehke) par haasil kare to oos suurat mein zakaat ka dena ehwat hai laikin wahan jaanwar charaane ka mehsool ada kare to zaruri hai ke zakaat de.

1794. **Oont ke nisaab 12 hain**

Oont ke nisaab.

(1) 5 oont-iin ki zakaat do bhede hai aur jab tak oonto ki taa'dad oos had tak na pohoonche, zakaat waajib nahi hai.
(2) 10 oont –iin ki zakaat 3 bhede hain
(3) 15 oont –iin ki zakaat 3 bhede hain.
(4) 20 oont-iin ki zakaat 4 bhede hain.
(5) 25 oont-iinki zakaat 5 bhede hain.
(6) 26 oont-iinki zakaat ek aisa oont hai jo dusre saal mein daakil ho chuka ho
(7) 36 oont-iinki zakaat ek aisa oont hai jo teesre saal mein daakhil ho chuka ho.
(8) 46 oont-iinki zakaat ek aisa oont hai jo chowthe saal mein daakhil ho chuuka ho.
(9) 81 oont-iinki zakaat ek aisa oont hai jo paanchve saal mein daakhil ho chuuka ho.
(10) 73 oont-iinki zaakat ek aise oont ki hai jo teesre saal mein daakil ho chuuka ho.
(11) 91 oont-iinki zakaat ek aise oont hai jo chowthe saal mein daakhil ho chuuka ho.
(12) 121 oont aur oosse uupar jitne hote jaaye to zaruri hai ke zakaat dene wala ya to oon ka chaalis se chaalis tak hisaab kare aur har chaalis oonto ke liye ek aisa oont de jo teesre saal mein daakhil ho chuuka ho ya 50 se 50 tak hisaab kare aur har 50 oonto ke liye ek oont de jo chowthe saal mein daakhil ho chuuka ho ya 40 aur 50 dono se hisaab kare aur ba'az maqaamat par oosko ikhtayaar hai ke 40 se hisaab kareya 50 se laikin har suurat mein is tarah hisaab karna zaruri hai ke kuch baaqi na bache ya agar bache bhi to 9 se zyaada na ho maslan agar ooske paas 140 oont ho aur 40 ke liye ek aisa oont de jo teesre saal mein daakhil ho chuuka ho aur jo oont zakaat mein diya jaaye ooska maada hona zaruri hai. Laikin agar chhatte nisaab mein oos ke paas do saala ootni na ho to teen saala oont kafi hai aur agar agar woh bhi na ho to khareedne mein oose ikhtayaar hai ke kisi ko bhi khareed le.

1795. Dono nisaabo ke darmiyaan nisaab waajib nahi hai lehaaza ek shakhs jo oont rakhta ho oonki ta'daad jo pahle nisab se jo 5 hai, badh jaaye to jab tak woh dusre nisaab tak jo 10 hai na pohoonche zaruri hai ke faqt 5 par zakaat de aur baaqi nisaabo ki suurat aisi hi rahegi.

Gaaye ka nisaab

1796. Gaaye ke do nisaab hain:
Ooska pehla nisaab 30 hai. Jab kisi shakhs ki gaayo ki ta'daad 30 tak pohoonch jaaye aur woh shara'et bhi poori hoti ho jinka zikr kiya jaa chuuka haito zaruri hai ke gaaye ka ek aisa bachcha jo dusre saal mein daakhil ho chuuka ho zakaat ke taur par de aur ehtayaat-e-waajib ye hai ke woh bachhda ho. Ooska dasra nisaab 40 hai aur ooski zakaat ek bachhiya hai jo teesre saal mein daakhil ho chuki ho aur 30 aur 40 ke darmiyaan zakaat waajib nahi hai. Maslan jis shakhs ke paas 39 gaaye hai to zaruri hai ke woh sirf 30 gaaye ki zakaat de aur agar oonki ta'daad 40 se zyaada ho to jab tak oonki ta'daad 60 tak na pohoonch jaaye zaruri hai ke sirf 40 par zakaat de. Jab oonki ta'daad 60 tak pohoonch jaaye kkyoonki yeh ta'daad pahle nisaab se dogooni hai ooske liye zaruri hai ke do aise bhede zakaat ke taur par de jo dusre sal mein daakhil ho chuke ho aur isi tarah jo jo gaaye ki ta'daad bhadti jaaye to zaruri hai key a to 30 se 30 tak hisaab kare ya 40 se 40 tak ya 30 aur 40 dono ka hisaab kare aur oon par oos tariqe ke mutabiq zakaat de jo bataya gaya hai. Laikin zaruri hai ke is tarah hisaaab kare ke kuch baaqi na bache to 9 se zyaada na ho. Maslan agar ooske paas 70 gaaye ho to zaruri hai ke 30 aur 40 ke mutabiq hisaab kare aur 30 ke liye 30 aur 40 ke liye 40 ki zakaat de kyoonki agar woh 30 ki lehaaz se hisaab karega to 10

gaaye baghair zakaat diye reh jaayegi aur ba'az maqamaat, maslan 120 gaaye par ooska ikhtayaar hai jaise chaahe hisaab kare.

Bhed ka nisaab

1797. Bhed ke 5 nisaab hain:

Pehla nisaab 40 hai aur ooski zakaat ek bhed hai aur jab tak bhedo ki ta'daad 40 tak na pohoonche oon par zakaat nahi hai.

Dasra nisaab 121 aur ooski zakaat 2 bhede hain.

Teesra nisaab 201 jiski zakaat 3 bhede hain.

Chowtha nisaab 301 jiski zakaat 4 bhede hain

Paanchwa nisaab 400 aur oos se oopar ki hai aur oon ka hisaab 100 se 100 tak karna zaruri hai aur har 100 bhedo par ek bhed di jaaye aur yeh zaruri nahi hai ke zakaat inhi bhedo mein se di jaaye balkeh agar koi aur bhede de di jaaye ya bhedo ki qeemat ke barabar nagdi de di jaaye to kaafi hai.

1798. Do nisaabo ke darmiyaan zakaat waajib nahi. Lehaaza agar kisi ki bhedo ki ta'daad jo ki 40 hain zyaada ho laikin dusre nisaab tak jo 121 hai na pohoonchi ho to oose chahiye ke sirf 40 par zakaat de aur jo ta'daad oose zyaada ho oos par zakaat nahi hai aur ooske ba'd ke nisaab ke liye yahi hukm hai.

1799. Oont, gaaye aur bhede jab nisaab ke had tak pohoonch jaaye to khwaha woh sab nar ho ya maada ho ya kuch nar ho ya maada ho to oonpar zakaat waajib hai.

1800. Zakaat ke zaman mein gaaye aur bhains ek jaisi shumaar hoti hai aur a'rbi aur ghair a'rbi oont ek jaise hain. Isi tarah bhed, bakre aur doombe mein koi farq nahi hai.

1801. Agar koi shakhs zakaat ke taur par bhed de to ehtayaat-e-waajib ki bina par zaruri hai ke kam az kam dusre saal mein daakhil ho chuke hon aur agar bakri di to ehtayaatan zaruri hai ke teesre saal mein daakhil ho chuki ho.

1802. Jo bhed koi shakhs zakaat ke taur par de agar ooski qeemat ooski bhedo se ma'mooli si kam bhi ho to bhi koi harj nahi hai laikin behtar yeh hai ke aisi bhed de jiski qeemat ooski har bhed se zyaada ho. Neiz gaaye aur oont ke baare mein bhi yahi hukm hai.

1803. Agar kayi afraad baa'ham hissedaar ho to jis jis ka hissa pahle nisaab tak pohoonch jaaye zaruri hai ke zakaat de aur jiska hissa pahle nisaab se kam ho oospar zakaat waajib nahi.

1804. Agar kisi shakhs ki gaaye, oont ya bhede mukhtalif jagaho par ho aur woh sab milaakar nisaab ke barabar ho to zaruri hai ke oon ki zakaat de.

1805. Agar kisi shakhs ki gaaye bhed ya oont bimaar ya aibdaar ho tab bhi zaruri hai ke oonki zakaat de.

1806. Agar kisi shakhs ki saari gaaye, bhede, oont bimaar ho ya aibdaar ho ya boodhe ho to khud oonhi mein se zakaat de sakta hai laikin agar woh sab tandurst, bea'ib aur jawaan ho to oonki zakaat mein bimaar, boodhe ya aibdaar jaanwar nahi de sakta balkeh agar oon mein se ba'az tandrust aur ba'az bimaar, kuch a'ibdaar aur kuch bea'ib, kuch boodhe aur kuch jawaan ho to ehtayaat-e-waajib yeh hai ke oonki zakaat mein bea'ib, tandrust, aur jawaan jaanwar de.

1807. Agar koi shakhs 11 mahine khatm hone se pahle apni gaaye, oont aur bhede kisi dusri cheez se badal le ya jo nisaab bataya gaya hai oose oon jaisi nisaab se badal le, maslan 40 bhede dekar 40 aur bhed le le to aisa agar karna zakaat ke bachne ki niyyat se na ho to oospar zakaat waajib nahi hai. Laikin agar aisa karna zakaat se bachne ki niyyat se ho to is suurat mein jabkeh dono cheezein ek hi nau'iyat ka faayeda rakhti ho maslan dono bhede doodh deti ho to ehtayaat-e-laazim hai ki ooski zakaat de.

1808. Jis shakhs ko gaaye, bhed aur oont ki zakaat deni zaruri ho to agar woh oonki zakaat apne kisi dusre maal se de de to jab tak oon jaanwaro ki ta'daad nisaab se kam na ho to zaruri hai ke har saal zakaat de aur agar woh zakaat inhi jaanwaro mein se de aur woh pahle nisaab se kam ho jaaye to zakaat oospar waajib nahi hai. Maslan jo shakhs 40 bhede rakhta ho agar woh oonki zakaat apne dusre maal se de de to jab tak ooski bhede 40 se kam na ho zaruri hai ke har saal ek bhed de aur agar khud oon bhedo mein se zakaat de to jab tak oonki ta'daad 40 tak na pohoonch jaaye oos par zakaat waajib nahi hai.

Maal-e-Tijaarat ki Zakaat

Jis maal ka insaan mu'aaveza dekar maalik hua ho aur oosne woh maal-e-tijaarat aur faayeda haasil karne ke liye mehfuz rakha ho to ehtayaat ki bina par zaruri hai ke (mandarja-e-zel)chand shara'et ke saath ooski zakaat de jo ki 40^{th} hissa hai.

(1) Maalik baaligh aur a'qil ho.

(2) Maal ki qeemat kam az kam 15 misqaal sikkedaar sone ya'ni 105 misqaal sikkedaar chaandi ke barabar ho.

(3) Jis vaqt se oos maal se faayeda uuthhane ki niyyat ki ho oos par ek saal guzar jaaye.

(4) Faayeda uuthhane ki niyyat poore saal baaqi rahe. Pas agar saal ke dauraan ooski niyyat badal jaaye maslan oosko akhrajaat ki mad mein sirf karne ki niyyat kare to zaruri nahi ke oos par zakaat de

(5) Maalik ooos maal mein poora saal tasarruf kar sakta ho.

(6) Tamaam saal ooske sarmaaye ki miqdaar ya oosse zyaada par kahreedaar maujood ho. Pas agar saal ke kuch hisse mein sarmaaye ki miqdaar ka kareedaar na ho to oospar zakaat dena waajib nahi hai.

Zakaat ka Massraf.

1809. Zakaat ka maal 8 maqaamaat par kharch ho sakta hai

(1) Faqeer- Woh shakhs jiske paas apne Ahl-o-ayaal ke liye saal bhar ke akhrajaat na ho faqeer hai. Laikin jis shakhs ke paas koi hoonar ya koi ja'edaad ya sarmaaya ho jisse woh apne saal bhar ke akhrajaat poore kar sakta ho woh faqeer nahi hai.

(2) Miskeen- Woh shakhs jo faqeer se zyaada tandrust ho miskeen hai

(3) Woh shakhs jo Imaam-e-Asr (a. s) ya naa'eb-e-Imaam ki jaanib se oos kaam par maa'moor ho ke zakaat jamaa kare, ooski nigaahdasht kare, hisaab ki jaanch padtaal kare aur jamaa kiya hua maal Imaam(a. s) ya na'eb e-Imaam ya fuq'raa ko pohoonchaaye.

(4) Woh kuffar jinhein zakaat di jaaye to woh deen-e-Islam ki taraf ma'el ho ya jang mein ya jang ke a'lawa musalmano ki madad kare. Isii tarah woh musalmaan jinka imaan oon ba'az cheezon par jo Paighambar-e-Islam (s. a. w. s) laaye hain kamzor ho laikin agar zakaat di jaaye to oonki imaan ki taqviyat ka sabab ban jaaye ya jo musalmaan Ali(a. s) ki wilaayat par imaan nahi rakhte laikin agar oonko zakaat de di jaaye to woh Ameerul momeneen ki wilaayat ki taraf ma'el ho aur oos par imaan le aaye .

(5) Ghulaamo ko khareed kar azaad karna-jiski tafseel ooske baab mein bayaan hui hai.

(6) Woh maqruz jo apna karz na ada kar sakta ho.

(7) Fisabeeliallah ya'ni woh kaam jiska faayeda tamaam musalmaano ko pohoonchta ho, massjid banana, aisa madarsa ta'ameer karana jahan deeni taalim di jaati ho, shahar ki safaayi karna neiz sadko ko pukhta banana aur oohein chowda karna aur inhi jaise dusre kaam.

(8) Ibne sabeel ya'ni woh musaafir jo safar mein nachaar ho gaya ho.

Yeh who madein jahan zakaat kharch hoti hai laikin maalik zakaat ko Imaam(a. s) ya na'eb-e-Imaam ki ijaazat ke baghair mad no4 mein kharch nahi kar sakta aur isi tarah ehtayaat-e-laazim ki bina par mad no7 ka hukm yahi hai aur mazkurah mado ke ahkaam aa'enda massa'el mein bayaan kiye jaayenge.

1810. Ehtayaat-e-waajib yeh hai ke faqeer aur miskeen apne aur apne Ahl-o-ayaal ke saal bhar ke akhrajaat se zyaada zakaat na le aur agar ooske paas kuch raqam ya jins ho faqt ootni zakaat le jitni raqam ya jins oos saal ke saal bhar ke akhrajaaat ke liye kam padti ho.

1811. Jis shakhs ke paas apne poore saal ka kharch ho agar woh oos ka kuch hissa iete'maal kar le aur ba'd mein shak kare ke jo kuch baaqi bacha hai ooske saal bhar ke akhrajaat ke liye kaafi hai ya nahi to woh zakaat nahi le sakta.

1812. Jis hoonarmand ya saahebe jaayedaad ya taajir ki aamdani ooske saal bhar ke akhrajaat se kam ho woh apne akhrajaat poore karne ke liye zakaat le sakta hai aur laazim nahi hai ke woh apne kaam ke auzar ya jaayedaad ya sarmaaya apne akhrajaat ke massraf mein le aaye.

1813. Jis faqeer ke paas apne aur apne Ahl-o-Ayaal ke liya saal bhar ka kharch na ho laikin ek ghar ka maalik ho jis mein woh rehta ho ya sawaari ki cheez rakhta ho aur oon ke baghair guzar basr na kar sakta ho to khawah yeh suurat apni izzat rakhne ke liye hi ho woh zakaat le sakta hai aur ghar ke saamaan, bartano aur garmi aur sardi ke kapdo aur jin cheezo ki oose zarurat ho oon ke liye bhi yahi hukm hai aur jo faqeer yeh cheezein na rakhta ho agar oonki zarurat ho to woh zakaat mein se khareed sakta hai.

1814. Jo faqeer mehnat kar ke rozi kama sakta ho aur apna aur apne Ahl-o-Ayaal ka kharcha bardaasht kar sakta ho laikin susti ki wajah se rozi na kamaa raha ho, ooske liye zakaat lena jayez nahi hai. Woh t'alib-e-ilm jiske liye rozi kamaana, ooske tehseele ilm ki raah mein rukaawat ho, agar ooska ilm haasil karna waajib-e-aini na ho to kisi bhi suurat mein fuq'raa ke hisse ki zakaat nahi le sakta. Haan! agar ooska ilm haasil karna umoomi faayeda ka sabab ho to ehtayaat-e-laazim ki bina par Haakim-e-Shar'a ki ijaazat se sabeelillah ke hisse se le sakta hai jis faqeer ka hoonar seekhna mushkil na ho ehtayaat-e-waajib ki bina par zakaat par zindagi basar na kare laikin jab tak hoonar seekhne mein masshghul ho zakaaat le sakta hai.

1815. Jo shakhs pahle faqeer raha ho aur woh kehta ho ke main faqeer hoon to agarche ooske kehne par insaan ko itmenaan na ho phir bhi oose zakaat de sakta hai. Laikin jis shakhs ke baare mein yeh m'aloom na ho ke yeh pahle faqeer raha hai ya nahi to ehtayaat ki bina par jab tak ooske faqeer hone ka itminaan na kar le, oosko zakaat nahi de sakta.

1816. Jo shakhs kahe ke main faqeer hoon aur pahle faqeer na raha ho agar ooske kehne par itminaan na ho to oose zakaat nahi di jaa sakti.

1817. Jis shakhs par zakaat waajib ho, agar koi faqeer oos ka maqruz ho to woh zakaat mein se apna karz wasool kar sakta hai.

1818. Agar faqeer mar jaaye uar ooska maal itna na ho jinta oosne karza dena ho to karz khawah karze ko zakaat mein shumaar kar sakta ho balkeh agar matufi ka maal oospar waajib-ul-ada karze ke barabar ho aur ooske wirsa ooska karza na ada kare ya kisi wajah se karz khawa apna karza waapas na le sakta ho tab bhi woh apna karza zakaat mein shumaar kar sakta hai.

1819. Yeh zaruri nahi ke koi shakhs jo cheez faqeer ko zakaat ke taur par ooske baare mein oose bataye ke yeh zakaat hai balkeh agar faqeer zakaat lene mein koft mehsus karta ho to mustahab hai ke oose maal to zakaat ki niyyat se hi diya jaayega laikin ooska zakaat hona oospar zaahir nahi kiya jaaye.

1820. Agar koi shakhs yeh khayaal karte hue kisi ko zakaat de ke woh faqeer hai aur ba'd mein oose pata chale ke woh faqeer na tha ya massle se nawaakif hone ki bina par kisi aise shakhs ko zakaat de de jiske mutta'liq oose ilm na ho ke woh faqeer nahi hai to yeh kaafi nahi hai. Lehaaza

oosne jo cheez oos shakhs ko bataure zakaat di thi agar woh baaqi ho to zaruri hai ke oos shakhs se waapas lekar mustaheq ko de aur agar khatm ho gayi hai to agar lene waale ko ilm tha ke woh maal-e-zakaat hai to insaan ooska ewaz oosse lekar mustaheq ko de sakta hai aur agar lene waale ko ilm na tha ke woh maal-e-zakaat hai to oose kuch nahi le sakta aur insaan ko apne maaal se zakat ka ewaz mustaheq ko dena zaruri hai. Ehtayaat-e-waajib ki bina par yahi hukm oos vaqt bhi hai jab oosne faqeer ke baare mein tehqeeq kar li ho ya kisi shar'ee gawahi ke taur par oose faqeer maana ho .

1821. Jo shakhs maqruz ho aur apna karza na ada kar sakta ho aur agar ooske paas apna saal bhar ka kharch bhi ho tab bhi apna karza ada karne ke liye zakaat le sakta hai laikin zaruri hai ke oosne jo maal batuare karza liya ho oose kisi goonaah ke kaam mein kharch na kiya ho.

1822. Agar insaan ek aise shakhs ko zakaat de jo maqruz ho aur apna karza na ada kar sakta ho aur ba'd mein oose pata chale oos shakhs ne jo karza liya tha woh goonaah ke kaam mein kharch kiya tha to agar woh maqruz faqeer ho to insaan ne jo kuch bhi oose diya ho sehme fuq'ra mein shumaar kar sakta hai.

1823. Jo shakhs maqruz ho aur apna karza na ada kar sakta ho agarche woh faqeer na ho tab bi karza khwaha karze ko jo oose maqruz se wasool karna ho zakaat mein shumar kar sakta hi.

1824. Jis musaafir ka zaade raah khatm ho jaaye ya oooski sawaari qaabil-e-iete'maal na reh jaaye agarche woh apne watan mein faqeer na bhi to tab bhi zakaat le sakta hai. Laikin agar woh kisi dusri jagah se karza lekar ya apni koi cheez bechkar safar ke akhrajaat haasil kar sakta ho to woh faqt itni hi miqdaar mein zakaat le sakta hai jiske zariye woh apni manzil tak pohoonch jaaye aur agar apne watan mein koi cheez farokht kar ke ya kiraaye par de, apne liye zaade raah muhaiyya kar sakta hai to ehtayaat-e-waajib ki bina par woh zakaat nahi le sakta.

1825. Jo musaafir safar mein nachaar ho jaaye aur zakaat le aur agar ooske watan jaane tak zakaat mein se kuch bach jaaye aur oose zakaat dene waale ko waapas na pohooncha sakta ho to zaruri hai ke zaa'ed maal Haakim-e-shar'a ko pohooncha de aur oose bata de ke yeh maal zakaat ka hai.

Mustehqeen-e-zakaat ki shara'et

1826. (Maal ka) maalik jis shakhs ko apni zakaat de sakta hai, zaruri hai ke woh shia ashna ashari ho. Agar insaan kisi ko shia samjhte hue zakaat de de aur ba'd mein oose pata chale ke woh shia na tha to zaruri ha ke dobaara zakaat de. Yahi hukm oos vaqt bhi hai jab oose kisi ke shia hone ke baare mein tehqeeq kar li ho ya shar'ee gawaahi ke taur par kisi ko shia maana ho.

1827. Agar koi shia bachcha ya deewaana faqeer ho to insaan ooske sarparast ko is niyyat se zakaat de sakta hai ke woh jo kuch de raha hai woh bachche ya deewaane ki milqiyat hogi. Yeh bhi ho sakta hai ke insaan khud ya kisi ameen shakhs ke tawassat se zakaat ko bachche ya deewane par kharch kare. Zaruri hai ke zakaat ki niyyat oos vaqt kare jab woh zakaat oonke iste'maal mein laayi jaaye.

1828. Jo faqeer bheekh maangta ho aur ooska faqeer hona saabit ho oose zakaat di jaa sakti hai laikin jo shakhs maal-e-zakaat goonaah ke kaam mein kharch karta ho zaruri hai ke oose zakaat na di jaaye balkeh ehtayaat yeh hai ke jise zakaat dena goonaah ki taraf ma'el karna ka sabab ho agarche woh oose goonaah ke kaam mein sirf na bhi kare oose zakaat na di jaaye

1829. Jo shakhs sharaab peeta ho ya namaaz na padhta ho ya isii tarah jo shakhs khullam khulla goonaah-e-kabira ka martakab hota ho to ehtayaat-e-waajib yeh hai ke oose zakaat na di jaaye.

1830. Jo shakhs maqruz ho aur apna karza na ada kar sakta ho ooska karza zakaat se diya jaa sakta hai khawah oos shakhs ke akhrajaat zakaat dene waale par waajib hi kyoon na ho.

1831. Insaan oon logo ke akhrajaat jin ki kifaalat oon pe waajib ho. Maslan aulaad ke akhrajaat zakaat se ada nahi kar sakta laikin agar woh khud aulaad ka kharcha na de sakta ho to dusre log oonhein zakaat de sakte hai. Haan!agar oon waajib alnafqa afraad ka kharcha dene ke qaabil na ho laikin oospar zakaat waajib ho chuki ho to oonke akhrajaat zakaat se ada kar sakta hai.
1832. Agar insaan apne bete ko zakaat is liye de takeh woh oose apni biwi, naukar, naukrani par kharch kare ya apna karza ada kare jab keh baaqi shara'et bhi maujood ho to oos mein koi harj nahi hai.
1833. Baap apne bete ko sehme-fee sabeelillah mein se a'mli aur deeni kitaabein jinki bete ko zarurat ho khareed kar nahi de sakta. Laikin agar rafah a'ma ke liye oon kitaabon ki zarurat ho to ehtayaat ki bina par Haakim-e-shar'a se ijaazat le le.
1834. Jo baap bete ki shaadi ki istetaa'at na rakhta ho woh bete ki shaadi ke liye zakaat mein se kharch kar sakta hai aur beta bhi baap ke liye aisa hi kar sakta hai.
1835. Kisi aisi aurat ko zakaat nahi di jaa sakti jise ooska shauhar oose ooske akhrajaat deta ho aur aisi aurat jise ooska shauhar oose akhrajaat na deta ho laikin jo haakim-e-joor se ruju kar ke hi sahi, shauhar ko akhrajaat ke liye majboor kat sakti ho oose zakaat na di jaaye.
1836. Jis aurat ne mut'aa kiya ho agar woh faqeer ho to ooska shauhar aur dusre log oose zakaat de sakte hai. Haan!agar aqd ke mauqe par shauhar ne yeh baat qabool ki ho ke ooske akhrajaat degaa ya kisi wajah se ooske akhrajaat dena shauhar par waajib ho aur aur woh oos aurat ke akhrajaat deta ho to oos aurat ko zakaat nahi di jaaa sakti.
1837. Aurat apne faqeer shauhar ko zakaat de sakti hai khawah shauhar oos zakaat ko oos aurat par hi kyoon na kharch kare.
1838. Sayyed ghair sayyed se haalat-e-majboori ke a'lawa zakaat nahi le sakta aur ehtayaat-e-waajib hai ke aisi majboori ho khums aur dusre zaraa'e aamdani ooske akhrajaat ke liye kaafi na ho. Isii tarah ehtayaat-e-waajib ki bina par zaruri hai ke agar mumkin ho to rozana sirf oosi din ke zaruri akhrajaat ki miqdaar mein zakaat lene mein ikhtefa kare.
1839. Jis shakhs ke baare mein ma'loom na ho ke sayyed hai ya ghair sayyed, oose zakaat di jaa sakti hai. Haan!,agar woh khud sayyed hone ka daawaa kare aur maalik oose zakaat de de to maalik bari-e-zimme na hoga.

Zakaat ki niyyat

1840. Zaruri hai ke insaan ba qasd-e-qurbat ya'ni baargaah-e-ilaahi mein izhaare zillat ki niyyat se zakaat de aur agar qasade qurbat ke baghair de to goonaahgaar hone ke bawajood kaafi hai aur apni niyyat mein mo'yyin kar ke ke jo kuch bhi de raha hai woh maal ki zakaat hai ya zakaat-e-fitrah hai balkeh misaal ke taur par agar gehoon aur jow ki zakaat oos par waajib ho aur woh kuch raqam zakaat ke taur par dena chahta ho to ooske liye yeh zaruri hai ke woh mo'yyuin kare ke woh gehoon ki zakaat de raha hai ya jow ki zakaat de raha hai.
1841. Agar kisi shakhs par mot'addad cheezon ki zakaat waajib hai aur woh zakaat mein koi cheez de laikin kisi bhi cheez ki "niyyat na kare" to jo cheez oosne zakaat mein di hai agar oonki jins agar wahi ho jo oon cheezon mein se kisi ek ki hai to woh oooski jins ki zakaat shumaar hogi. Farz kare ke kisi par 40 bhedho aur 15 misqaal sone ki zakaat waajib hai, agar woh ek bhed zakaat de de aur oon cheezon mein se (ke jin par zakaat waajib hai) kisi ki bhi "niyyat" na kare to woh bhedo ki zakaat shumaar hogi. Laikin agar woh chaandi ke sikke ya currency note de jo oon (cheezo) ke hum jins nahi hai to ba'az (u'lema) ke baqaul (sikke ya note) oon tamaam (cheezon) par hisaab se baant diye jayen laikin yeh baat ishkaal se khaali nahin hai balkeh ehtemaal yeh hai oon cheezon mein se kisi ki bhi (zakaat) shumar na honge aur (niyyat karne tak) mal malik ki milqiyat rahegi.

1842. Agar koi shakhs apne maal ki zakaat ada karne ke liye kisi ko vakil bana de to zaruri hai ke maal-e-zakaat vakil ke hawaale karte vaqt niyyat kare aur ehtayaat-e-mustahab yeh hai ke oos zakaat ke faqeer tak pohoonchne tak apni niyyat par baaqi rahe.

Zakaat ke mutafarraq massa'el

1843. Zaruri hai ke insaan gehoon aur jow ko bhoose se alag karne ke mauqe par aur khjoor aur angoor ke khusk hone ke vaqt zakaat faqeer ko de de ya apne maal se alaiheda kar de, zaruri hai ke sone, chaandi, gaaye, bhed aur oont ki zakaat 11 mahine khatm hone ke ba'd faqeer ko de ya apne maal se alaiheda kar de.

1844. Zakaat alaiheda karne ke ba'd ek shakhs ke liye laazim nahi hai ke oose fauran mustaheq shakhs ko de de aur agar kisi a'qli maqsad se oos mein taakhiir kare to koi harj nahi hai.

1845. Jo shakhs zakaat kisi mustaheq shakhs ko pohooncha sakta ho aur agar woh oose zakaat na pohoonchaye aur ooske kotahi baratne ki wajah se maal-e-zakaat talf ho jaaye to zaruri hai ke ooska aewaz de.

1846. Jo shakhs zakaat kisi mustaheq shakhs ko pohooncha sakta ho aur agar woh oose zakaat na pohoonchaye aur maal-e-zakaat hifaazat karne ke bawajood talf ho jaaye to zakaat ada karne mein taakhiir ki koi sahi wajah na ho to zaruri hai ke ooska aewaz de laikin aur taakiir karne ki koi sahi wajah thi maslan ek khaas faqeer ooski nazar mein tha ya thoda thoda karke fuq'raa ko dena chahta tha to ehtayaat-e-waajib ki bina par ooska zaamin hai.

1847. Agar koi shakhs zakat (ain oosi) maal se juda kar de to woh baaqi maan'da maal mein tasarruf kar sakta hai aur agar woh zakaat apne kisi dusre maal se juda kar de to oos poore maal mein tasarruf kar sakta hai.

1848. Insaan ne jo maal zakaat ke taur par alaiheda kiya ho oose apne liye uutha kar oos jagah dusri cheez nahi rakh sakta.

1849. Agar oos maal-e-zakaat se jo kisi na alaiheda kar diya ho koi moonfa'at haasil ho maslan jo bhed bataure zakaat alaiheda ki gayi ho woh bachcha jane to woh moonfa'at ki zakaat ka hukm rakhti hai.

1850. Jab koi shakhs maal-e-zakaat alag kar raha ho agar oos vaqt koi mustaheq maujood ho to behtar hai ke zakaat oose dede bajuz is suurat ke koi aisa shakhs ooski nazar mein ho jise zakaat dena kisi wajah se behtar ho.

1851. Agar koi shakhs Haakim-e-shar'aa ki ijaazat ke baghair oos maal se kaar-o-baar karle jo oosne zakaat ke liye alaiheda kar diya ho aur oos mein oose khasaara ho jaaye to woh zakaat mein koi kami nahi kar sakta laikin agar moonafa ho to zaruri hai ke musaheq ko de de.

1852. Agar koi shakhs oos se pahle ke oos par zakaat oos cheez par waajib ho koi cheez bataure zakaat faqeer ko de de woh zakaat mein shumaar nahi hogi aur agar oospar zakaat waajib hone ke ba'd woh cheez jo oosne faqeer ko di thi talf na hui ho aur faqeer abhi tak faqeeri mein mubtela ho to zakaat dene wala oos cheez ko jo oosne faqeer ko di thi zakaat mein shumaar kar sakta hai.

1853. Agar faqeer jaante hue ke zakaat ek shakhs pe waajib nahi hui hai oose koi cheez bataure zakaat le le aur woh cheez faqeer ki tehweel mein talf ho jaaye to faqeer ooska zimmedaar hai aur jab zakaat oos shakhs par waajib ho jaaye aur faqeer oos vaqt tak tandrust ho to jo cheez oos shakhs ne oos faqeer ko di thi ooska aewaz zakaat mein shumaar kar sakta hai.

1854. Agar koi faqeer yeh na jaanta ho ke zakaat ek shakhs par waajib hui hai ya nahi hui hai aur oosse koi cheez batuare zakaat le le aur woh cheez faqeer ki tehweel mein talf ho jaaye to faqeer zimmedaar nahi hai aur dene wala shakhs oos cheez ko zakaat mein shumaar nahi kar sakta hai.

1855. Mustahab hai ke gaaye, bhed aur oont ki zakaat aabroomand fuqr'aa ko di jaaye aur zakaat denemein apne rishtedaaro aur aur dasro par ahle ilm par beilm logo par aur jo log haath na phelaate ho oon ko magnto par tarjih di jaaye. Haan! yeh mumkin hai kisi faqeer ko kis wajah se zakaat dena behtar ho.
1856. Behtar hai ke zakaat a'laania di jaaye aur mustahab hai ke sadqa poshida taur par diya jaaye.
1857. Jo shakhs zakaat dena chahta ho agar ooske shahar mein koi mustaheq na ho aur woh zakaat ooske liye kisi aur mo'yyin mad mein bhi sirf na ho sakta ho to woh oose kisi dusre shahar le jaa sakta hai aur is suurat mein agar oosne hifaazat mein kotaahi na ki aur ooska maal talf ho gaya to zaamin nahi hai. Woh yeh bhi kar sakta hai ke Haakim-e-shar'aa se waqaalat le le aur oos maal ko Haakim-e-shar'a ki waqalat mein wasool kare aur phir oose kisi shahar mein moontaqil kare. Is suurat mein woh talf ka zimmedaar bhi na hoga aur moontaqil karne ki ujrat bhi zakaat mein se le sakta hai.
1858. Agar zakaat dene waale ko apne shahar mein koi mustaheq mil jaaye tab bhi woh maal-e-zakaat dusre shahar mein le jaa sakta hai laikin zaruri hai ke oos shahar mein le jaane ke akhrajaat khud bardaasht kare aur agar maal-e-zakaat talf ho jaaye to woh khud zimmedaar hai bajuz is suurat mein ke maal-e-zakaat Haakim-e-shar'a ke hukm se le gaya ho.
1859. Jo shakhs gehoon, jow, kismish aur khajoor bataure zakaat de raha ho, oon ajnaas ki naap taul ki ooski zimmedaari hai.
1860. Insaan ke liye makruh hai ke mustaheq se darkhaast kare ke jo zakaat oosne oose se li hai osi ke haath farokht kar de laikin agar mustaheq na jo cheez bataure zakaat li hai pohoonchaana chaahe to jab oosk qeemat tay ho jaayeto jis shakhs ne mustaheq ko zakaat di ho oos cheez ko khareedne ke liye dasro se oska haqfaa'eq hai.
1861. Agar kisi shakhs ko shak ho ke jo zakaat oos par waajib hui thhi woh oosne di hai ya nahi aur jis maal mein zakaat waajib hui thi woh bhi maujood ho to zaruri hai ke zakaat de khawaha oos cheez ka shak guzishta saalo ki zakaat ke mutta'liq hi kyoon na ho. Aur woh maal zaa'ya ho chuuka ho to agarche oosi saal ki zakaat ke mutta'liq hi kyoon shak na ho oos par zakaat nahi hai.
1862. Faqeer yeh nahi kar sakta ke zakaat lene se pahle ooski miqdaar se kam miqdaar par masslehat kar le ya kisi cheez ko ooski qeemat se zyaada qeemat par bataure zakaat qabool kare aur isi tarah maalik bhi yeh nahi kar sakta ke mustaheq ko is shart par zakaat de ke woh mustaheq oose waapas kar de ga Laikin agar koi mustaheq zakaat lene ke ba'd raazi ho jaaye aur oos zakaat ko oose waapas kar de to koi harj nahi hai. Maslan kisi shakhs par bohot zyaada zakaat waajib ho aur faqeer ho jaane ki wajah se woh zakaat ada na kar sakta ho aur oosne tauba kar li ho to agar faqeer raazi ho jaaye ke oosne zakaat lekar phir oose bakhsh de to koi harj nahi.
1863. Insaan Quraan-e-Majeed, Deeni kitaabein ya, Dua ki kitaabein sehme fi sabeelillah se khareed kar waqf nahi kar sakta hai. Laikin agar rafa a'maa ke liye ooon cheezon ki zarurat ho to ehtayaat-e-waajib ki bina par Haakim-e-shar'a se ijaazat le le.
1864. Insaan maal-e-zaakat se jaae'daad khareed kar apni aulaad ya oon logo ko waqf nahi kar sakta jin ka kharch oos par waajib ho take woh oos jaae'daad ki moonfa'at apne musarraf mein na le aaye.
1865. Hajj aur Ziyaarat par jaane ke liye insaan fi sabeelillah ke hisse se zakaat le sakta hai agarche woh faqeer na ho ya apne saal bhar ke akhrajaat ke liye zakaat le chuka ho laikin yeh is suurat mein hai jabkeh ooska Hajj aur Ziyarat jaana logo ke mafaad mein na ho aur ehtayaat ki bina par aise kaamo mein zakaat kharch karne ke liye haakim-e-shar'a se ijaazat le le.
1866. Agar ek maalik apne maal ki zakaat dene ke liye kisi faqeer ko vakil bana de aur vakil ko yeh ehtemaal ho ke maalik ka iraada yeh tha ke woh khud (ya'ni faqeer) oos maal se kuch na le

to is suurat mein woh koi cheez oos mein se apne liye nahi le sakta aur agar faqeer ko yeh yaqeen ho ke maalik ka iraada yeh nahi tha to woh apne liye bhi le sakta hai.
1867. Agar koi faqeer oont, gaaye, bhed, chaandi, sona zakaat ke taur par haasil kare aur oon mein woh sab shara'et maujood ho jo zakaat ke waajib hone ke liye bayaan ki gai hain to zaruri hai ke faqeer oon par zakaat de.
1868. Agar do ashkhaas ek aise maal mein hissedaar hon jiski zakaat waajib ho chuki hai aur oon mein se ek apne hisse ki zakaat de de aur ba'd mein woh maal taqseeem kar le(aur jo shakhs zakaat de chuuka hai) agarche oose yeh ilm ho ke ooske saathi ne apne hisse ki zakaat nahi di aur naa hi ba'd mein dega to ooska apne hisse mein tassaruf karna ishkaal nahi rakhta.
1869. Agar khums aur zakaat kisi shakhs ke zimme waajib ho aur kaffara aur mannat waghairah bhi oos par waajib ho aur woh maqruz bhi ho aur oon sab ki adae'gi bhi na kar sakta ho to agar woh maal jis par khums ya zakaat waajib ho chuki hai talf ho na gaya ho to zaruri hai ke khums aur zakaat de aur agar woh maal talf ho gaya ho to kaffare aur nazar se pahle zakaat, khums aur karza ada kare.
1870. Jis shakhs ke zimme khums ya zakaat waajibul ada ho aur Hajj bhi oospar waajib ho aur woh maqruz bhi ho agar woh mar jaaye aur ooska maal oon tamaam cheezon ke liye kaafi na ho to agar woh maal jispar khums aur zakaat waajib ho chuke ho talf ho jaaye to zaruri hai ke khums ya zakaat ada ki jaaye aur ooska baaqi maan'da maal karze ki ada'egi ke liye kharch kiya jaaye. Agar woh maal jis par khums aur zakaat waajib ho chukha ho talf ho gaya ho to zaruri hai ke ooska maal karz ki adae'gi par karch kiya jaaye aur is suurat mein agar kuch bach jaaye agar to Hajj kiya jaaye agar zyaada bacha ho to oose khums aur zakaat par taqseem kar diya jaaye.
1871. Jo shakhs ilm haasil karne mein massghool ho agar ilm haasil na kare to apni rozi kamaane ke liye kaam kar sakta ho, agar ooska ilm haasil karna waajib-e-a'ini ho to fuq'ra ke hisse se oose zakaat de sakte hain aur agar oos ke ilm ka haasil karna awami bahduud ke liye ho to fi sabeelillah ki mad se ehtayaat ki bina par Haakim-e-shar'a ki ijaazat se oosko zakaat dena jayez hai. In do suuraton ke a'lawa oosko zakaat dena jayez nahi hai.

Zakaat-e-Fitrah

1872. Eid-ul-fitr ki raat ghuroob-e-aaftaab ke vaqt jo shakhs baaligh aur a'qil ho aur na to behosh ho na faqeer ho aur na hi kisi ka ghulaam ho to zaruri hai ke apne liye aur oon logo ke liye jo ooske yahan khaana khaate ho fi kas ek sa'a jis ke baare mein kaha jaata hai ke taqreeban 3 kg hota hai oon ghizaaon mein se jo ke shahar (ya e'laaqe) mein iete'maal hoti ho, maslan gehoon ya jow ya khajoor ya kishmish ya chaawal ya jawaar mustaheq shakhs ko de aur agar oon ke bajaaye oonki qeemat naqdi ki shakl mein de tab bhi kaafi hai. Ehtayaat-e-laazim yeh hai ke jo ghiza oos shahar mein aam taur se iete'maal na hoti hao chaahe woh gehoon, jow khajoor ya kishmish hi kyoon na ho na de.
1873. Jis shakhs ke paas apne ahl-o-ayaal ke liya saal bhar ke akhrajaat na ho aur ooska koi rozgaar bhi na ho jis ke zariye woh aapne ahl-o-ayaal ka saal bhar ka kharcha poora kar sake woh faqeer hai aur oos par fitrah dena waajib nahi hai.
1874. Jo shakhs eid-ul fitr ki raat ghuroob ke vaqt kisi ke yahan khaana khaane waale samjhe jaayen zaruri nahi ke saheb-e-khana oonka fitrah de, kata' nazar oosse ke woh jhoote ho, ya bure ho, musalmaan ho ya kaafir ho, oonka kharcha oos par waajib ho ya na ho, aur woh oon ke shahar mein ho ya kisi aur shahar mein ho.
1875. Agar koi shakhs ek aise shakhs ko jo oonke yahan khaana khaane wala girdana na jaaye, aur dusre shahar mein ho, apna numa'inda muqarrar kare ke ooske (ya'ni saaheb-e-khaana ke)

maal se itna fitrah de de aur oose itminaan ho ke woh shakhs fitrah de dega to khud saaheb-e-khaana ke liye oos fitre ko dena zaruri nahi hai.

1876. Jo mehmaan eid-ul-fitr ki raat ghuroob-e-aaftaab se pahle saaheb-e-khaana ki razamandi se ooske ghar aaye, raat ooske yahan guzaare aur ooske yahan khaana khaane waalo mein agarche vaqti taur par shumaar ho ooska bhi fitrah saaheb-e-khaana par waajib hai.

1877. Jo mehmaan eid-ul-fitr ki raat ghurub-e-aaftaab ke ba'd waarid ho agar woh saaheb-e-khaana ke yahan khana khaane shumaar ho to fitrah saaheb-e-khaana par ehtayaat ki bina par waajib hai aur agar khaana khaane wala shumaar na ho to waajib nahi hai jis shakhs ki insaan ne eid ki shab mein apne ghar iftaar ke liye bulaaya ho, woh ooske yahan khaana khaane wala shumaar nahi hota aur saaheb-e-khaana par ooska fitrah waajib nahi hai.

1878. Agar koi shakhs Eid-ul-fitr ki raat ghuroob-e-aaftaab ke vaqt deewaana ho aur ooski deewaangi Eid-ul-fitr ke din zohur ke vaqt tak baaqi rahe to oos par fitrah waajib nahi hai warna ehtayaat-e-waajib ki bina par laazim hai ke fitrah de.

1879. Ghuroob-e-aaftaab se pahle agar koi bachcha baaligh ho jaaye ya koi deewana a'qil ho jaaye ya koi faqeer ghani ho jaaye to agar woh fitrah waajib hone ki shara'et ko poori karta ho to zaruri hai ke fitrah de.

1880. Agar Eid-ul-fitr ki raat ghuroob ke vaqt fitrah waajib hone ki shara'et na ho, laikin agar eid ke din zohur ke vaqt se pahle tak fitrah waajib hone ki shara'et oos mein maujood ho jaaye to ehtayaat-e-waajib yeh hai ke fitrah de.

1881. Agar koi kaafir eid-ul-fitr ki raat ghuroob-e-aaftaab ke ba'd musalmaan ho jaaye to oos par fitrah waajib nahi hai. Laikin ek aisa musalmaan jo shia na ho woh Eid ka chaand dekhne ke ba'd shia ho jaaye to zaruri hai ke fitrah de.

1882. Jis shakhs ke paas andaazan 1 sa'a gehoon ya oos jaisi koi cheez ho oos ke liye mustahab hai ke fitrah de aur agar ooske ahl-o-ayaal bhi ho aur woh oonka fitrah bhi dena chahta ho to woh aisa kar sakta hai ke fitre ki niyyat se 1 sa'aa gehoon wagairah apne ahl-o-ayaal mein se kisi ek ko de de aur woh bhi oosi niyyat se dusre ko de de aur isii tarah dete rahe hatta ke woh khaandaan ke aakhri fard tak pohoonch jaaye aur behtar hai ke jo cheez aakhri fard ko mile woh kisi aise shakhs ko de jo woh khud oon logo mein se na ho jinho ne fitrah ek dusre ko diya hai aur agar oon logo mein se koi na baaligh ya dewaana ho to ooska sarparast ooske bajaaye fitrah le sakta hai aur ehtayaat-e-mustahab yeh hai ki woh cheez ooski niyyat se na le balkeh khud ke liye le.

1883. Agar eid-ul-fitr ki raat ghuroob ke ba'd kisi ke yahan bachcha paida ho to ooska fitrah dena waajib nahi hai laikin agar ghuroob se pahle saaheb-e-aulaad ho jaaye ya shaadi kar le, agar woh ooske yahan khaana khaane waale shumar ho to oonka fitrah dena zaruri hai aur agar woh kiis aur ke yahan khana khaane waale shumaar ho to oos par(ya'ni baap ya shauhar par)oonka fitrah waajib nahi hai aur agar kisi ke yahan khaana khaane wala na samhje jaaye to aurat ka fitrah khud par waajib hai aur bachche ki koi zimmedaari nahi hai.

1884. Agar koi shakhs kisi ke yahan khaana khaata ho aur ghuroob se pahle kisi dusre ke yahan khaana khaane wala ho jaaye to ooska fitrah oosi shakhs pe waajib hai jis ke yahan woh khaana khaane wala ban jaaye. Maslan agar aurat ghuroob se pahle shauhar ke ghar chali jaaye to zaruri hai ke shauhar ooska fitrah de.

1885. Jis shakhs ka fitrah kisi dusre shakhs par waajib ho oos par apna fitrah dena waajib nahi hai. Laikin agar woh fitrah na de ya na de sakta ho to ehtayaat ki bina par khud oos shakhs par waajib hai ke massla no. 1852 mein zikr shuda shara'et agar oos mein maujood ho to khud apna fitrah de.

1886. Jis shakhs ka fitrah kisi dusre shakhs par waajib ho, agar woh khud apna fitrah de de to jis shakhs par ooska fitrah waajib ho oos par se ooski adae'gi ka wajoob saakit nahi hota.
1887. Ghair sayyed, kisi sayyed ko fitrah nahi de sakta hatta ke agar sayyed ooske yahan khaana khaata ho tab bhi ooska fitrah woh kisi dusre sayyed ko nahi de sakta.
1888. Jo bachcha maa ya daaya ka doodh peeta ho ooska fitrah oos shakhs par waajib hai jo maa ya daya ke akhrajaat bardaasht karta ho. Laikin agar maa ya daya apna kharcha bachche ke maal se poora karti hai to bachche ka fitrah kisi par waajib nahi hai.
1889. Insaan agarche apne ahl-o-ayaal ka kharcha haraam maal se deta ho, zaruri hai ke oonka fitrah halaal maal se de.
1890. Agar insaaan kisi shakhs ko ujrat par rakhe, jaise mistri badhaii ya khidmadgaar aur ooska kharcha is tarah de ke woh ooska khaana khaane waalo mein shumaar ho to zaruri hai ke ooska bhi fitrah de. Laikin agar sirf kaam ki mazdoori de to oos (ajeer) ka fitrah ada karna oos par waajib nahi hai.
1891. Agar koi shakhs eid-ul-fitr ki raat ghuroob se pahle faut ho jaaye to ooska aur ooske ahl-o-ayaal ka fitrah ooske maal se dena zaruri nahi. Laikin agar ghuroob ke ba'd faut ho to u'lama mein masshhur yeh hai ke ooska aur ooske ahl-o-ayaal ka fitrah ooske maal se diya jaaye. Laikin yeh hukm ishkaal se khaali nahi hai aur ehtayaat ke taqazon ko tarq nahi kiya jaaye.

Zakaat aur fitrah ka musarraf

1892. Fitrah ehtayaat-e-waajib ki bina par faqt oon shia ashna ashari fuq'ra ko dena zaruri hai jo oon shara'et par poore utarte ho jin ka zikr zakaat ke mustaqeen mein ho chuka hai aur agar shahar mein shia ashna ashari fuq'ra na mile to dusre musalmaan fuq'ra ko fitrah de sakta hai. Laikin zaruri hai ke kisi bhi suurat mein "naasibi" ko na diya jaaye.
1893. Agar koi shia bachcha faqeer ho to insaan yeh kar sakta hai ke fitrah oospar kharch kare ya ooske sarparast ko de kar oose bachche ki milqiyat qarrar de.
1894. Jis faqeer ko fitrah diya jaaye to zaruri nahi ke woh a'dil ho laikin ehtayaat-e-waajib yeh hai ki sharaabi, benamaazi aur jo khullam khulla goonaah karta ho oose fitrah na diya jaaye.
1895. Jo shakhs fitrah na jayez kaamo mein kharch karta ho to oose fitrah na diya jaaye.
1896. Ehtayaat-e-mustahab yeh hai keh ek faqeer ko ek sa'a se kam fitrah na diya jaaye. Magar oos suurat mein diya jaa sakta hai ke sab maujooda fuq'ra ko na pohoonch sake. Albatta ek sa'a se zyaada dene mein koi ishkaal nahi hai.
1897. Jab kisi jins ki qeemat oos jins ki ma'mooli qism se dogooni ho, maslan kisi gehoon ki qeemat kisi ma'mooli qism ke gehoon se dogooni ho to agar koi shakhs oos (badhiya jins) ka aadha sa'a bataur fitrah de to yeh kaafi nahi hai balkeh agar woh aadhe sa'a fitrah ki niyyat se bhi de to woh kaafi nahi hai.
1898. Insaan aadhe sa'a maslan ek jins ka gehoon aur aadha sa'a kisi dusri jins ka maslan jow, bataure fitrah nahi de sakta balkeh agar yeh aadha aadha sa'a fitrah ki qeemat ki niyyat se de to bhi kaafi nahi hai.
1899. Insaan ke liye mustahab hai keh zakaat dene mein apne rishtedaaro aur hamsaayo ko dusre logo par tarjih de. Moonaasib hai keh ahle ilm-o-fazl aur deendaar logo ko bhi dasro se tarjih de.
1900. Agar insaan yeh khayaal karte hue ke ek shakhs faqeer hai oose fitrah de aur ba'd mein ma'loom ho ke woh faqeer na tha to agar oose jo maal faqeer ko diya tha woh khatm na ho gaya ho to zaruri hai ke waapas le le aur mustaheq ko de de aur agar waapas na le sakta ho to zaruri hai ke khud apne maal se fitrah ka aewaz de aur agar woh maal khatm ho gaya ho laikin lene waale ko yeh ilm ho ke jo kuch bhi oosne liya hai woh fitrah hai to zaruri hai ke ooska aewaz de

aur agar oose yeh ilm na ho to aewaz dena oospar waajib nahi aur zaruri hai ke fitarh dene wala khud fitrah ka aewaz de.
1901. Agar koi shakhs kahe ke main faqeer hoon to oose fitrah nahi diya jaa sakta ba juz is suurat ke keh kisi ke kahne se itminaan ho jaaye ya oose ilm ho ke woh pahle faqeer tha.

Zakaat, fitrah ke muttafarriq massa'el

1902. Zaruri hai ke insaan fitrah qurbat ki qasad se ya'ni Allah (t. a) ki khushnudi ke liye de aur oose dete vaqt fitre ki niyyat kare.
1903. Jo koi shakhs Ramadhan se pahle fitrah de de to sahi nahi hai behtar yeh hai ke Ramadhan mein bhi fitrah na de. Albatta agar Ramadhan se pahle kisi faqeer ko karza de aur jab fitrah oos par waajib ho jaaye karze ko fitre mein shumaar kar le to koi harj nahi hai.
1904. Gehoon ya koi dusri cheez jo fitre ke taur par di jaaye zaruri hai ke oos mein koi aur jins ya mitti na mili hui ho. Agar oos mein koi aisi cheez mili hui ho aur khaalis maal ek sa'a tak pohoonch jaaye aur mili hui cheez juda kiye baghair iste'maal ke qaabil ho ya juda karne mein had se zyaada zehmat na hoya jo cheez mili hui ho itni kam ho ke qaabil-e-tawajjo na ho to koi harj nahi hai.
1905. Agar koi shakhs a'ibdaar cheez fitreh ke taur par de to ehtayaat-e-waajib ki bina par kaafi nahi hai.
1906. Jis shakhs ko kayi ashkhaas ka fitrah dena ho ooske liye zaruri nahi ke saara fitrah ek hi jins se de. Maslan ek ba'az afraad ka fitrah gehoon se aur ba'z dasro ka jow se de to kafi hai.
1907. Eid ki namaaz padhne waale shakhs ko ehtayaat-e-waajib ki bina par Eid ki namaaz se pahle fitrah dena zaruri hai laikin agar koi shakhs namaaz nahi padhta hai to fitreh ki ada'egi mein zohur tak taakheer kar sakta hai.
1908. Agar koi shakhs fitreh ki niyyat se apne maal mein se kuch miqdaar alaiheda kar de aur Eid ke din zohur ke vaqt tak mustaheq ko na de to jab bhi woh maal mustaheq ko de fitreh ki niyyat kare. Agar taakheer karne mein koi a'qli wajah ho to koi ishkaal nahi.
1909. Agar koi shakhs Eid ke din zohur tak fitrah na de aur alag bhi na kare to ooske ba'd ada aur qaza ki niyyat kare baghair fitrah de.
1910. Agar koi shakhs fitrah alag kar de to woh oose apne liye uthakar dasra maal ooski jagah bataure fitrah nahi rakh sakta.
1911. Agar kisi shakhs ke paas aisa maal ho jiski qeemat fitreh se zyaada ho to agar woh shakhs fitrah na de aur niyyat kare ke oos maal ki khuch miqdar fitreh ki liye qarrar dena ehtayaat-e-waajib ki bina par kaafi nahi hai.
1912. Kisi shakhs ne jo maal fitreh ke liye alag kiya ho, agar talf ho jaaye to agar woh faqeer tak pohooncha sakta tha. Oosne fitrah dene mein taakheer ki ho ya hifaazat karne mein kotaahi ki ho to zaruri hai ke ooska aewaz de aur agar faqeer tak nahi pohoonch sakta tha aur ooski hifaazat mein kotaahi na ki ho to to phir zimmedaar nahi hai.
1913. Agar fitrah dene waale ko apne e'laaqe mein mustaheq mil jaaye to ehtayaat-e-waajib yeh hai ki fitrah dusri jagah na le jaaye aur agar dusri jagah le jaaye aur mustaheq tak pohoonch jaaye to kaafi hai aur agar dusri jagah pohoonchaaye aur agar woh maal talf ho jaaye to zaruri hai ke ooska aewaz de.

Hajj ke Ehkaam

1914. 'Baitullah ki ziyaarat karne aur oon a'maal ko baja laane ka naam "Hajj" hai jin ke wahan baja laane ka hukm diya gaya hai aur ooski baja aa'wri har oos shakhs ke liye jo man-darja-e-zel shara'et poori karta ho umr mein ek dafa' waajib hai

(Awwal) Insaan baaligh ho.

(Daum) A'qil aur azaad ho.

(Saum) Hajj par jaane ki wajah se koi aisa na jayez kaam karne ki majboori na ho jis ka tarq karna Hajj karne se zyaada eham ho ya koi aisa waajib kaam tarq na hota ho jo Hajj se zyaada eham ho. Laikin agar oos haalat mein Hajj karne chala jaaye to goonaahgaar zarur hai magar Hajj sahi hai.

(Chaharum) Isteta'at rakhta ho. Saheb-e-Isteta'at hona chand chezon par manhasar hai.

(1) Insaan raaste ka kharch aur isi tarah agar zarurat ho to sawaari rakhta ho ya itna maal rakhta ho ke oon cheezon ko muhaiyya kar sake.

(2) Itni sehat aur taaqat ho ke zyaada masshaqqat ke baghair Mekka-e-Mukkarrama jaa kar Hajj kar sakta ho. Yeh shart Hajj ke mauqe se maqsoos hai aur agar koi shakhs maali isteta'at rakhta ho magar jismaani taaqat Hajj ke vaqt na rakhta ho ya agar khud baja laaye to ooske liye nuksan hai aur sehatyaabi ki bhi koi umeed na ho to oose chahiye key kisi ko na'eb banaye.

(3) Mekka-e-Makarrama mein jaane ke liye raaste mein koi rukaawat na ho aur agar raasta band ho aur agar insaaan ko darr ho ke raaste mein ooski jaan ya aabru chali jaayegi ya oos ka maal chheen liya jaayega to oospar Hajj waajib nahi hai. Laikin agar woh dusre raaste se jaa sakta ho aur woh raasta zyaada taweel na ho to zaruri hai ke oos raaste se jaaye bajuz ooske ke woh raasta is qadr door aur ghair ma'roof ho ke log kahe ke Hajj ka raasta band ho.

(4) Jab saare shara'et maujood ho to oos ke paas itna vaqt bhi ho ke Mekka-e-Mukkarrama pohoonch kar Hajj ke a'amaal baja laa sake.

(5) Jin logo ke akhrajaat oos par waajib ho maslan biwi aur bachche aur jin logo ke akhrajaat ooske liye tarq karna ooske liye goonaah ho to oonke akhrajat ooske paas maujood ho.

(6) Hajj se waapasi ke ba'd woh ma'aash ke liye koi hoonar ya kheti ya jaayedaad rakhta ho ya phir koi dasra zariya-e-aamdani rakhta ho ya'ni aisa na ho ke hajj ke akhrajaat ki wajah se Hajj waapsi par majboor ho jaaye aur tangtarshi par zindagi guzaarne par majboor ho jaaye.

1915. Jis shakhs ki zarurat apne zaati makaan ke baghair poori na kar sake oospar Hajj oos vaqt tak waajib hai jab tak oos ke paas makaan ke liye bhi raqam ho.

1916. Jo aurat Mekka-e-Mukkarrama ja sakti ho agar waapsi ke ba'd ooske paas apna koi maal nahi ho aur misaal ke taur pe agar ooska shauhar bhi faqeer ho aur oose kharch na deta ho aur woh aurat aseerat mein zindagi guzaarne par majboor ho jaaye to oos par hajj waajib nahi.

1917. Agar kisi shakhs ke paas hajj ke liye zaad-e-raah aur sawari na ho aur dasra oose kahe ke tum Hajj par jao main tumahare safar ka kharch doonga aur tumaare safar ke dauraan tumahare ahl-o-ayaal ko bhi kahrch deta rahoonga to agar oose itminaan ho jaaye ke woh shakhs oose kharch dega to oospar Hajj waajib ho jaata hai.

1918. Agar kisi shakhs ko Mekka-e-Mukkarrama jaane aur waapas aane ka kharch aur jitni muddat oose wahan jaane aur waapas aane mein lage oske liye oose ahl-o-ayaal ka kharch de diya jaaye ke woh hajj kar le to agar che woh maqruz bhi ho aur waapsi par guzar basar karne ke liye maal bhi na rakhta ho oos par hajj waajib ho jaata hai. Laikin agar is tarah ho ke Hajj ke safar ka zamaana ooske kaar-o-baar aur kaam ka zamaana ho ke agar Hajj par chala jaaye to apna karza muqarrar vaqt par ada na kar sakta ho ya apni guzar basar ke akhrajaat saal ke baaqi dino mein muhaiyya na kar sakta ho to oos par Hajj waajib nahi hai.

1919. Agar kisi ko Mekka-e-Mukkarrama tak jaane uar aane ke akhrajaat neiz jitni muddat wahan jaane aur aane mein lage oos muddat ke liye ooske ahl-o-ayaal ke akhrajaat de diye jaayen aur oosse keh diya jaaye ke Hajj par jaao laikin yeh sab musarraf ooski milqiyat mein na diya jaaye to is suurat mein ke jabkeh oose itminaan ho ke diye hue akhrajaat ka oos se phir mutaleba nahi kiya jaayega oospar Hajj waajib ho jaata hai.
1920. Agar kisi shakhs ko itna maal de diya jaaye jo Hajj ke liye kaafi ho aur yeh shart lagaayi jaye ke jis shakhs ne maal diya hai maal lene wala Mekka-e-Mukkarrama ke raaste mein ooski khidmat karega to jise maal diya jaaye oospar Hajj waajib nahi hota.
1921. Agar kisi shakhs ko itna maal diya jaaye ke oos par Hajj waajib ho jaaye aur woh Hajj kare aur agarche ba'd mein woh khud bhi (kahin se)maal haasil kar le to dasra Hajj oospar waajib nahi hai.
1922. Agarche koi shakhs bagarze tijaarat misaal ke taur par jeddah jaaye aur itna maal kamaaye ke agar wahan se Mekka jaana chahe to isteta'at rakhne ki wajah se zaruri hai ke Hajj kare aur agar woh Hajj kare aur khawah ba'd mein itni daulat kamaa le ke khud apne watan se bhi Mekka-e-Mukkarrama jaa sakta ho tab bhi oos par dasra Hajj waajib nahi hai.
1923. Agar koi shakhs is shart par ajeer bane ke woh khud ek dusre ki taraf se Hajj karega to agar woh khud Hajj ko na jaa sake aur chahe ke kisi dusre ko apni jagah bhej de to zaruri hai ke jisne oose ajeer banaya hai oosse ijaazat le.
1924. Agar koi shakhs mustat'i ho kar chala jaaye aur muqqarrar vaqt par arafaat aur Massha'rul Haraam na pohoonch sake to jab ooske ba'd ke saalo mein mustat'i na rahe to oos par Hajj waajib nahi hai laikin agar guzishta saalo mein mustat'i tha aur hajj par nahi gaya chahe oose zehmat hi kyoon na ho Hajj baja laaye.
1925. Agar koi shakhs mustat'i hone ke ba'd Hajj ada na kare aur ba'd mein budhaape, kamzori ya bimaari ki wajah se Hajj na kar sake ya koi rukaawat aa jaaye to ba'd mein agar khud taaqat haasil kare to khud Hajj baja laaye. Is suurat mein bhi aisa hai ke agar pahle saal mein Hajj karne ki isteta'at haasil kare magar beemari, kamzori ya budhaape ki wajah se Hajj na kar sake aur apni taaqat se na umeed ho jaaye in tamaam suurato mein ehtayaat-e-mustahab yeh hai ke agar mard manuf a'na ho to na'eb sarura hone chahiye ya'ni koi aisa shakhs ho jisne pahle Hajj ada nahi kiya ho.
1926. Jo shakhs Hajj karne ke liye kisi dusre ki taraf se ajeer bana ho to zaruri hai ke ooski taraf se tawaaf-oon-nisa bhi kare aur agar na kare to ajeer par ooski biwi haraam ho jaayegi.
1927. Agar koi shakhs tawaf-oon-nisa sahi se na baja laaye ya oosko baja laana bhool jaaye aur chand roz ba'd oose yaad aaye aur raaste se waapas hokar baja laaye to sahi hai laikin agar waapas hona ooske liye ba'ese masshaqqat ho to tawaaf-oon-nisa ki bajaawri ke liye kisi aur ko na'eb bana sakta hai.

Khareed wa Farokht ke Ehkaam

2008. Ek baipari (businessman) ke liye moonasib hai keh khareed farokht ke silsile mein jin massael ka (amuman) saamna karna padta hai oon ke ehkaam seekh le balkeh agar massael na seekhne ki wajah se kisi wajib hukm ke tark karne haraam kaam ke martakab hone ka andesha ho to massael seekhna lazim hai. Hazrat Imam j'afer Sadiq Alaihe salaato wassallam se riwayat hai keh "jo shakhs khareed farokht karna chahta ho oos ke liye zaruri hai keh oon ke ehkaam seekhe aur agar oon ehkaam ko seekhne se pahle khareed farokht karega to batil ya mushtaba m'amlaat karne ki wajah se halakat mein padega. "
2009. Agar massle se nawaqif ki bina par yeh na janta ho keh oos ne m'amla kiya hai woh sahi hai ya batil to jo maal oos ne hasil kiya hai oose iste'maal nahin kar sakta aur na hi oos maal

mein jo dusre ki tehweel mein dia hai balkeh oose chahiye keh massla yaad kare ya ehtayaat par a'mal kare chaahe massalihat ke zari'e ho. Magr yeh keh oose ilm ho keh dasra fareeq oos maal ko iste'maal karne par raazi hai to oos surat mein istw'maal karna jayez hai agarche m'amla baatil ho.

2010. Jis shakhs ke paas maal na ho aur akhraajat oos par wajib hon maslan biwi bachchon ka kharch, to zaruri hai keh karobaar kare. Aur mustahab kaamon ke liye maslan ahal o ayaal ki khushaali aur faqiron ki madad karne ke liye karobaar karna mustahab hai.

Khareed o farokht ke mustahabaat

Khareed o farokht mein chand cheezon ko mustahab shumaar kiya gaya hai:

(1) Faqr aur is jaisi kaifiyat ke siwa jins ki qeemat mein khareedaron ke darmiyaan faqr na kare.

(2) Dukaan mein baithte vaqt kalma shadatain kahe aur shauda ke vaqt takbeer kahe.

(3) Jo cheez baich raha ho woh kuchh zayada de aur jo cheez khareed raha ho woh kuchh kam le.

(4) Agar koi shakhs sauda karne ke b'ad pashemaan ho keh oos cheez ko wapas karna chahe to wapas le le.

Makruh ma'amlaat

2011. Chand cheezon ko sauda karte vaqt makruh shumaar kiya gaya hai oon mein se b'az mand darja zeil hain.

(1) Jins ke ayoob ko bayaan na karna. Bashart yeh hai keh milawat na ho. Agar milawat ho to haraam hai.

(2) Saude mein sachchi qasam khana agar jhooti qasam kah'e to haraam hai.

(3) Kafan faroshi ka karobaar karna.

(4) Kisi momin se ya kisi aise shakhs se jis ne oos ke sathh neki ka waida kiya hai oon se apni zarurat se zayada lena.

(5) Azaan subah aur tulu' shaams ke darmiyaan sauda karna.

(6) Jo shakhs oosi shahar ka bashinda ho aur bahar se aane waale musafir tajeeron ka wakil bane takeh oon ke liye khareed farokht kare balkeh ehtayaat mustahab yeh hai keh oose tark kare.

(7) Agar musalman koi jins khareed raha ho to oos ke saude mein dakhl andazi kar ke khareedar banne ka izhaar karna. Ehtayaat mustahab yeh hai keh aisa na kare.

Haraam ma'amlaat

2012. Bohut se ma'amlaat haraam hain oon mein se chand yeh hain :

(1) Nashaawar masshrubaat, ghair shikari kutte aur soor ki khareed o farokht haraam hai aur ehtayaat wajib ki bina par najis murdaar ke muta'liq bhi yahi hukm hai. In ke a'lawa woh dusri najasat ki khareed o farokht oos surat mein jayez hai jabkeh a'in najis se halaal faida hasil karna maqsood ho maslan gobar aur fazle se khaad banana.

(2) Ghasbi maal ki khareed o farokht jabkeh oos mein tasarruf lazim aa'e qabza lena aur dena.

(3) Aisi currency se sauda karna jis ki haishiat khatam ho gayee ho ya j'ali currency se sauda karna jabkeh fareeq oos se bekhabar ho laikin fareeq ke ilm mein hai to yeh sauda jayez hai.

(4) Oon cheezon ki khareed o farokht jinhein a'am taur par faqt haraam kaam mein iste'maal karte hon aur oon ki qadr o qeemat sirf oos haraam ki wajah se ho maslan bait, sulaib, ju'e ka saamaan aur haraam lahu o lo'ab ke a'alaat waighaira.

(5) Woh lain dain jis mein milawat ho (y'ani aisi cheez ka baichna jis mein dusri cheez is tarah mili ho keh milawat ka pata na chale aur baichne wala bhi khaeerd daar ko na bata'e. Maslan aisa ghee baichna jis mein charbi mila'ee gayee ho). Hazrat Rasul Akram Sallallaho wa alehi wasallam ka irshaad hai keh "woh meri ummat mein se nahin hai jo musalmano ko milawat wali cheez baichta hai. Khuda wand ta'ala oos ki rozi se barkat uthha leta hai aur oos ki rozi ke raaston ko tang kar deta hai aur oose oos ke haal par chod deta hai. "

Milawat ke mukhtalif mawarid hote hain

(1) A'la cheez mein ghatia cheez ya kisi dusri cheez ko mila dena jaise dhoodh mein paani milana.

(2) Jins ki zahiri shakal wa surat ko achchhi haalat mein pesh karna jaise purani sabzi par pani chhidak kar taaza karna.

(3) Ek cheez ko kisi dusri cheez ki shakal mein peish karna jaise khareedaar ko bata'e baighair kisi cheez par sone ka paani chadahana.

(4) Kisi cheez ke a'ib ko chhipana jabkeh khareedaar oos par a'itmaad rakhta ho keh woh kisi qism ka a'ib nahin chhipayega.

2013. Jo paak cheez najis ho gayee ho aur oose pani se dho kar paak karna mumkin ho jaise qaleen aur bartan waghaira to oose farokht karne mein koi harj nahin hai aur agar oose dhona mumkin na ho tab bhi yahi hukm hai agar oos ka halaal faida arf a'am mein oos ke paas hone par moonhasar na ho maslan mitti ka tail balkeh agar oos ka halaal faida paak hone par mauquf ho aur oos ka moonasib had tak halaal faida bhi ho tab bhi oos ka baichna jayez hai.

2014. Agar koi shakhs najis cheez baichna chahe to zaruri hai keh woh oos ki najasat ke baare mein khareedar ko oos surat mein bata de keh agar na batayega to khareedar kisi haraam kaam ya kisi hukm wajib ki mukhalfat ka martakab hoga. Maslan najis paani ko wazu ya ghusl mein iste'maal karega aur oos ke sathh apni wajib namaaz padhega ya oos najis cheez ko khaane ya peene mein iste'maal karega. Albatta agar woh yeh janta ho keh oose batane ka koi faida nahin kiu na keh woh laparwoh shakhs hai (aur najis ya paak ka khayaal nahin rakhta) to oose batana zaruri nahin.

2015. Agarche khaane wali aur na khaane wali najis dawaon ki khareed o farokht jayez hai laikin oon ki najasat ke mut'aliq khareedar ko is surat mein bata dena zaruri hai jis ka zikr sabqa massle mein kiya gaya hai.

2016. Jo tail ghair islami mumaalik se dar aamad kiye jate hain agar oonke najis hone ke baare mein ilm na ho to oon ki khareed o farokht mein koi harj nahin. Charbi aur dusre mawaad jo kisi haiwan ke marne ke b'ad hasil kiye jate hon giletin , agar oose kafir se ya ghair islami mumaalik se mangaye to oos surat mein jabkeh oos ke baare mein ehtemaal ho keh aise haiwan ki hai jise shara'ee tareeqe se zibh kiya gaya hai to goya paak hai oos ki khareed o farokht jayez hai laikin oos ka khaana haraam hai aur baichne waale ke liye zaruri hai keh woh oos ki kaifiat se khareedar ko oos surat mein aagah kar de jab aagah na karne ki surat mein khareedar kisi haraam ko anjam dega ya kisi wajib hukm ki mukhalafat ka martakab hoga jaise keh massla 2014 mein guzar chuuka hai.

2017. Agar lomdi ya oos jaise jaanwar ko shara'ee tareeqe se zibah na kiya jaye ya woh khud mar jaye to oon ki khaal khareed o farokht ehtayaat ki bina par jayez nahin hai laikin agar shak ho to koi ishkaal nahin.
2018. Jo chamda ghair islami mumaalik se dar aamad kiya jaye ya kafir se liya jaye agar oos ke baare mein ehtemaal ho keh ek aise jaanwar ka hai jise shara'ee tareeqe se zibah kiya gaya hai to oos ki khareed o farokht jayez hai aur isi tarah oos mein namaz bhi sahi hogi.
2019. Tail aur dasra mawaad jo haiwan ke marne ke b'ad hasil kiya jaye ya woh chamda jo musalman se liya jaye aur lene wala janta ho keh oos musalman ne yeh cheez kafir se li hai laikin yeh tehqeeq nahin ki keh yeh aise haiwan ki hai jise shara'ee tareeqe se zibah kiya gaya hai ya nhain agarche oos par taharat ka hukm lagta hai aur oos ki khareed o farokht jayez hai laikin oos tail ya oos jaisi cheez ka khana jayez nahin.
2020. Sharaab aur tamam ma'e mansheyat ka lain dain haraam aur batil hai.
2021. Ghasbi maal ka baichna batil hai magar oos vaqt jayez hai keh oos ka maalik baichne ki ijazat de aur baichne waale ne khud raqam khareedar se li hai oose maalik ko wapas karna zaruri hai.
2022. Agar khareedar sanjidagi se sauda karne ka irada rakhta ho laikin oos ki niyyat yeh ho keh jo cheez khareed raha hai oos ki qeemat nahin dega to oos ki yeh soch saude ke sahi hone mein to man'e nahin laikin zaruri hai keh khareedar oos aude ki qeemat baichne waale ko de de.
2023. Agar khareedar chahe keh jo maal oos ne udhhaar khareeda hai oos ki qeemat b'ad mein haraam maal se dega tab bhi m'amla sahi hai albatta zaruri hai keh jitni qeemat oos ke zimme ho halaal maal se de takeh oos ka udhhaar chukta ho jaye.
2024. Haraam lahu o lo'ab ke aal'at ki khareed o farokht jayez nahin hai laikin (halaal aur haraam mein iste'maal hone waale) mushtar ke a'laat maslan rodio, tape recorder aur video ki khareed o farokht mein koi harj nahin hai.
2025. Agar koi cheez keh jis se jayez faida uthhaya ja sakta ho is niyyat se baichi jaye keh oose haraam massarruf mein laya jaye. Maslan angoor is niyyat se baicha jaye keh oos se sharaab tayyar ki jaye, chahe saude ke zaman mein ya oos se phle yeh irada kiya jaye aur sauda is ki booniyaad par ho jaye to yeh sauda haraam hai. Laikin agar koi shakhs angoor is maqsad se na baiche aur faqt yeh janta ho keh khareedar angoor se sharaab tayyar karega to oos saude mein koi harj nahin.
2026. Jaandar ka majusma banana ehtayaat ki bina par haraam hai laikin oon ki khareed o farokht mamnu' nahin hai albatta jaandar ki naqasi jayez hai.
2027. Kisi aisi cheez ka khareedna jo juye ya chori ya batil saude se hasil ki gayee ho aur oos mein tasarruf lazim aata hai to haraam hai aur agar koi aisi cheez khareed le to zaruri hai keh oos ke asli maalik ko lauta de.
2028. Agar koi shakhs aisa ghee baiche jis mein charbi ki milawat ho aur oose ma'een kar de, maslan kahe keh main "yeh ek man ghee baich raha hoon" to is suurat mein jab iis mein charbi ki miqdaar itni zayada ho keh oose ghee na kaha jaye to m'amla batil hai aur agar charbi ki miqdaar itni kam ho keh oose charbi mila hua kaha jaye to m'amla sahi hai laikin khareedne waale ko maal a'ibdar hone ki bina par khayaar a'ib ka haq hasil hai keh woh m'amla khatam kar sakta hai aur apna paisa wapas le sakta hai. Agar charbi ghee se juda ho to charbi ki jitni miqdaar ki milawat hai oos ka m'amla batil hai aur charbi ki jo qeemat baichne waale ne li hai woh khareedar ki hai aur charbi, baichne waale ka maal hai aur khareedar oos mein jo khalis ghee hai oos ka m'amla bhi khatam kar sakta hai. Laikin agar mo'yyin na kare balkeh sirf ek man ghee bata kar baiche laikin dete vaqt charbi mila hua ghee de to gahak woh ghee wapas kar ke khalis ghee ka mutalba kar sakta hai.

2029. Jis jins ko naap ya taul kar baicha jata hai agar koi baichne wala isi jins ke badle mein badhakar baiche maslan ek man gehoon ko dedh man gehoon ke badle baiche to yeh saudawar haraam hai balkeh agar do jinso mein se ek be a'ib aur dusri a'ibdar ho ya ek jins badhiya aur dusri ghatiya ho ya oon ki qeemato mein farq ho to agar baichne wala jo miqdaar de raha ho oos se zayada le tab bhi sauda haraam hai. Lehaza agar woh sabit taanba de kar oos se zayada miqdar mein toota hua taanba le ya sabut qism ka pateela de kar oos se zayada miqdar mein toota hua pateela le ya ghadha hua sona de kar oos se zayada miqdar mein baighair ghadha hua sona le to yeh bhi sauda haraam hai.

2030. Baichne wala jo cheez za'ed le agar woh oos jins se mukhtalif ho jo woh baich raha hai, maslan ek man gehoon ko ek man gehhon aur kuchh naqd raqam ke auz baiche tab bhi yeh sauda haraam hai balkeh agar woh koi cheez za'ed na le laikin yeh shart lagaye keh khareedar oos ke liye koi kaam karega to yeh bhi sauda haraam hai.

2031. Jo shakhs koi cheez kam miqdar mein de raha ho agar woh oos ke sathh koi aur cheez shamil kar de, maslan ek man gehoon aur ek rumaal ko dedh man gehoon ke auz baiche to is mein koi harj nahin yeh is surat mein hai jabkeh oos ki niyyat yeh ho keh woh rumaal oos zayada gehoon ke muqabale mein hai aur m'amla bhi naqd ho. Isii tarah agar dono taraf se koi cheez badha di jaye maslan ek shakhs ek man gehoon aur ek rumaal ko dedh man gehoon aur ek rumaal ke awaz baiche to oos ka bhi yahi hukm hai lehaza agar oon ki niyyat yeh ho keh ek ka rumaal aur aadhha man gehoon dusre ke rumaal ke muqabale mein hai to iis mein koi ishkaal nahin hai.

2032. Agar koi shakhs aisi cheez baiche jo meter aur guz ke hisab se baichchi jati hai maslan kapdha ya aisi cheez baiche jo gin kar baichchi jati hai maslan akhrot aur andde aur zayada le maslan das andde de aur gayara le to oos mein koi harj nahin. Laikin agar aisa ho keh m'amale mein dono cheezein ek hi jaisi jins se hon aur m'amla udhhaar ka ho to is surat mein m'amale ke sahi hone mein ishkaal hai. Mshalan das akhrot naqd de aur barah akhrot ek mahine ke b'ad le. Currency noto ka farokht karna bhi isi zirme mein aata hai maslan rupaiye ko kisi dusri currency ke badale mein maslan dinaar ya dollar ke badle mein naqd ya mo'yyin muddat ke liye udhhaar baiche to is mein koi harj nahin laikin agar apni hi jins ke badle mein baichna chahe aur zayada le to m'amla mo'yyin muddat ke liye nahin hona chahiye maslan ek sau rupayye naqd de aur ek sau das rupayye chhe mahine ke b'ad le to is m'amle ke sahi hone mein ishkaal hai.

2033. Agar kisi cheez ko kisi shahar mein ya aksar shahron mein naap taul kar baicha jata ho aur b'az shahron mein oos ka lain dain gin kar hota ho (maslan mausami malte b'az shahron mein taul kar bikte hain aur b'az mein gin kar) to oos cheez ko oos shahar ki nisbat se jahan gin kar lain dain hota hai dusre shahar mein zayada qeemat par baichna jayez hai.

2034. Oon cheezon mein jo taul kar ya naap kar baichi jati hon agar baichi jane wali cheez aur oos ke badle mein li jane wali cheez ek jins se na hon aur lain dain bhi naqd ho to zayada lene mein koi harj nahin hai laikin agar lain dain mo'yyin muddat ke liye ho to oos mein ishkaal hai. Lehaza agar koi shakhs ek man chawal ko do man gehoon ke badle mein ek mahine ki muddat tak baiche to oos lain dain ka sahi hona ishkaal se khali nahin.

2035. Pakke mewohn ko sauda kachche mewohn se zayzda le kar karna jayez nahin. Agar sauda naqd aur barabar ho to makruh hai aur udhhaar ho to ishkaal hai.

2036. Sood ke ai'tbar se gehoon aur jau ek jins shumaar hote hain. Lehaza misaal ke taur par agar koi shakhs ek man gehoon de aur oos ke badle mein ek man paanch kilo jau le to yeh sood hai aur haraam hai. Aur misaal ke taur par agar das man jau is shart par khareede keh gehoon ki fasal uthhane ke vaqt das man gehoon badle mein dega to choonakeh oos ne naqd liye hain aur

gehoon kuchh muddat b'ad de raha hai lehaza yeh oosi tarah hai jaise izafa liya ho is liye haraam hai.

2037. Baap beta aur miyan biwi ek dusre se sood le sakte hain aur isii tarah musalman ek aise kafir se jo islam ki panah mein na ho sood le sakta hai. Laikin ek aise kafir se jo islam ki panah mein hai sood ka lain dain haraam hai. Albatta m'amla tay kar lene ke b'ad agar sood dena oos ki shari'at mein jayez ho to oos se sood le sakta hai.

2038. Dadhhi ka moondna aur oos ki ujrat lena binabar ehtayaat wajib jayez nahin laikin majboori ho to jayez hai ya oos ka tark zarur ya masshaqqat ka sabab bane aur masshaqqat bhi aisi keh a'am taur par oose bardast na kiya ja sake chahe tamsakhur aur ahanut kiyoon na ho.

2039. Ghana haraam hai. Is se muraad batil kalaam hai jise aisi lay ke sathh gaya jaye jo lahu o lo'ab ki mehfilon se makhsus ho. Isi tarah aisi la eke sathh Qur'an aur dua ya is jaiisi cheezon ka padhna bhi jayez nahin. Binabar ehtayaat wajib ki bina par mazkura cheezon ke a'lawa dasra kalaam bhi gaakar na padhe. Ghana ka soonna bhi haraam hai. Is ki ujrat lena bhi haraam hai aur yeh ujrat oos ki malkiyat nahin ban sakti hai. Isi tarah oos ka sikhna aur ooa ka sikhana bhi jayez nahin hai. Mausiqi, y'ani aalaat ko is tarah bajana jo lahu o lo'ab ki mehfilon se mutabaqat rakhe, haraam hai aur oos ke a'lawa haraam nahin. Haraam mausiqi ko sikhana ki ujrat bhi haraam hai aur lene wala oos ka maalik nahin ban sakta aur oos ka sikhna aur sikhana haraam hai.

Baichne waale aur khareedar ki shara'et

2040. Baichne waale aur khareedar ke liye chhe cheezein shart hain :

(1) Baligh hon.
(2) A'qil hon.
(3) Safia na hon y'ani apna maal ahmakqana kaamon mein kharch na karte hon.
(4) Khareed o farokht ka iradah rakhte hon. Pas agar koi mazaaq mein kahe keh main ne apna maal baicha to m'amla batil hoga.
(5) Kisi ne oonhein (khareed o farokht par) majboor na kiya ho.
(6) Jo jins aur oos ke badle mein jo cheez ek dusre ko de rahe hon oos ke maalik hon

In ke baare mein ehkaam aa'enda massael mein bayaan kiye jayenge.

2041. Kisi nabaligh bachche ke sathh sauda karna jo aazad atur par na sauda kar raha ho batil hai. Laikin in kam qeemat cheezon mein jin ki khareed o farokht ka riqaj hai agar nabaligh magar samajhdar bachche ke sathh lain dain ho jaye (to sahi hai). Aur agar sauda oos ke sarparast ke sathh ho aur nabaligh samajhdar bachcha lain dain ka segha ada kare to sauda har surat mein sahi hai. Balkeh agar jins ya raqam kisi dusre aadmi ka maal aur bachcha bahaisiat wakil oos maal ke maalik ki taraf se woh maal baiche ya oos raqam se koi cheez khareede to zahir hai keh sauda sahi hai agarche woh samajhdar bachcha aazadana taur par oos maal ya raqam mein (haq) tasarruf rakhta ho. Aur isi tarah agar bachcha oos kaam mein wasila ho to raqam baichne waale ko (de aur jins khareedar tak) pohoonchaye (ya jins khareedar ko de aur raqam baichne waale ko pohoonchaye) to agar che bachcha samajhdar na ho sauda sahi hai kiu nakeh darasal do baligh afraad ne aapas mein sauda kiya hai.

2042. Agar koi shakhs oos surat mein keh ek nabaligh bachche se sauda karna sahi na ho to oos se koi cheez khareede ya oos ke hathh koi cheez baiche to zaruri hai keh jo jins ya raqam oos bachche se le, agar woh khud bachche ka maal ho to oos ke surparast ko aur agar kisi aur ka maal ho to oos ke maalik ko de de ya oos ke maalik ki razamandi hasil kare. Aur agar sauda karne wala shakhs oos (jins ya raqam) ke maalik ko na janta ho aur oos ka pata chalaane ka koi zari'a bhi na ho to oos shakhs ke liye zaruri hai keh jo cheez oos ne bachche se li ho woh oos

cheez ke maalik ki taraf se bataur radde mazalim kisi faqir ko de de. Aur ehtayaat lazim yeh hai keh is kaam mein haakime shara'ee se ijazat le.

2043. Agar koi shakhs ek samajhdaar bachche se oos surat mein sauda kare jabkeh oos ke sathh sauda karna sahi na ho aur oos ne jo jins ya raqam bachche ko di ho woh talf ho jaye to woh shakhs bachche se oos ke baligh hone ke b'ad ya oos ke surparast se mutalba kar sakta hai. Aur agar bachcha samajhdar na ho ya samajhdar ho magar maal khud za'e nahin kiya laikin maal oos ke paas talf hua ho chahe poos ki ghaflat ya kotahi hi se maal talf hua ho to woh zamin nahin.

2044. Agar khareedar ya baichne waale ko sauda karne par majboor kiya jaye aur sauda ho jane ke b'ad woh razi ho jaye aur misaal ke taur par kahe keh main razi hoon to sauda sahi hai laikin ehtayaat mustahab yeh hai keh m'amle ka segha dobara padha jaye.

2045. Agar insaan kisi ka maal oos ki ijazat ke baighair baich de aur maal ka maalik oos ke baichne par razi na ho aur ijazat na de to sauda batil hai.

2046. Bachche ka baap aur dada nez baap ka wasi aur dada ka wasi bachche ka maal farokht kar sakte hain aur in mein se koi maujood na ho to mujtahid a'dil bhi aisi surat mein keh halaat ka taqaza ho diwaane shakhs ya yateem bachche ka maal ya aise shakhs ka maal jo gha'eb ho farokht kar sakta hai.

2047. Agar koi shakhs kisi ka maal ghasab karke baich dale aur maal ke bik jane ke b'ad oos ka maalik saude ki ijazat de de to sauda sahi hai aur jo cheez ghasab karne waale ne khareedar ko di ho aur oos cheez se jo moonaf'a saude ke vaqt se hasil ho woh khareedar ki malkiyat hai aur jo cheez khareedar ne di ho aur oos cheez se jo moonaf'a saude ke vaqt se hasil ho woh oos shakhs ki malkiyat hai jis ka maal ghasab kiya gaya ho.

2048. Agar koi shakhs kisi ka maal ghasab karke baich de aur oos ka iradah yeh ho keh oos ki qeemat khud oos ki malkiat hogi aur agar maal ka maalik saude ki ijazat de de to sauda sahi hai laikin maal ki qeemat maalik ki malkiat hogi na keh ghasib ki.

Jins aur oos ke au'z ki shara'et

2049. Jo jins baichi jaye aur jo cheez oos ke badle mein li jaye oos ki paanch shartein hain :

(1) Naap, taul ya ginti waighaira ki shakal mein oos ki miqdaar m'aloom ho.

(2) Bechne wala oon cheezon ko tehweel mein dene ka ahl ho. Agar ahl na ho to sauda sahi nahin hai. Laikin agar woh oos ko kisi dusrii cheez ke saath milaa kar beche jaise woh tehveel mein de sakta ho to iis suurat mein lain dain sahi hai albatta agar khareedaar oos cheez ko jo khareedi ho aone qabze mein le sakta ho agar che bechne wala oos se oos ki tehveel mein dene ka ahl na ho to bhi lain dain sahi hai. Maslan jo ghodha bhaag gaya ho agar oose beche aur khareedne wala oos ghodhe ko dhoond sakta ho to oos saude mein koii harj nahin aur woh sahi hoga aur oos suurat mein kisi baat ke iizaafe ki zarurat nahin hai.

(3) Woh khasusiyaat jo jins aur au'z maujood hon aur oon ki wajah se saude mein logon ki dilchaspi mein farq padta ho m'aloom honi chahiyen.

(4) Kisi dusre ka haq oos maal se iis tarah wabasta na ho keh maal maalik ki malkiat se kharij hone se dusre ka haq za'e ho jaye.

(5) Bechne wala khud oos jins ko beche na keh oos ki manf'at ko pas misaal ke taur par agar makaan ki ek saal ki manfa't bechii jaye to sahi nahin hai laikin agar khareedaar naqd ki bajaye apni malkiyat ka moonafa'a de maslan kisi se qaleen (ya dari waighairah) khareede aur oos ke au'z mein apne makaan ka ek saal ka moonaaf'a oose de de to oos mein koii harj nahin.

Iin sab ke ehkaam aayenda massael mein bayaan kiye jayenge.

2050. Jis jins ka sauda kissi shahar mein taul kar naap kar kiya jata ho oos shahar mein zaruri hai keh oos jins ko taul kar naap kar hi khareede laikin jis shahar mein oos jins ka sauda oose dekh kar liya jata ho oos shahar mein who oose dekh kar khareed sakta hai.
2051. Jis cheez ki khareed o farokht taul kar ki jaati hai oos ka sauda paimane ke zariye bhi kiya ja sakta hai. Misaal ke taur par agar ek shakhs das man gehoon bechna chahe to wah ek aisa paimana jis mein ek man gehoon samati ho das martaba bhar kar de sakta hai.
2052. Agar m'amlaa chawthhi shart ke a'lawa jo shara'et bayaan ki gayee hain oon mein se koii ek shart na hone ki bina par batil ho laikin bechne wala aur khareedaar ek dusre ke maal mein tasarruf karne par raazi hon to oon ke tasarruf karne mein koii harj nahin.
2053. Jo cheez waqf ki ja chuki ho oos ka sauda batil hai. Laikin agar wah cheez iis qadr kharaab ho jaye keh jis fayde ke liye waqf ki gayee hai wah hasil na kiya ja sake yaw ah cheez kharaab hone wali ho maslan massjid ki chattayee iis tarah phat jaye keh oos par namaaz na padhi ja sake to jo shakhs mutawalli hai ya jise mutawalli jaise ikhtayaar hasil hon wah oose bech de to koii harj nahin aur ehtayaat mustahab ki bina par jahan tak mumkin ho oos ki qeemat oosi massjid ke kisi aise kaam par kharch ki jaye jo waqf karne waale ke maqsad se aqreeb tar ho.
2054. Waqf cheez ko bechna jab oon logon ke mabeen jin ke liye maal waqf kiya gaya ho aisa ikhtelaaf paida ho jaye keh andesha ho keh agar waqf shuda maal farokht na kiya gaya to maal ya kisi ki jaan talf ho jayegi to mehale ishkaal hai. Haan! Agar waqf karne wala yeh shart lagaye keh waqf ke bech dene mein koii masslihat ho to bech diya jaye to oos suurat mein oose bechne mein koii harj nahin hai.
2055. Jo jayedaad kisi dusre ko kiraye par di gayee ho oos ki khareed o farokht mein koii harj nahin hai laikin jitni muddat ke liye wah kiraye par di ja chuki ho ys iis gumaan ke tahat keh kiraye ki muddat thodhi hai oos jayedaad ko khareed le to jab oose haqiqat haal ka ilm ho wah sauda faskh kar sakta hai.

Khareed o farokht ka segha

2056. Zaruri nahin hai keh khareed o farokht ka segha a'rbi zabaan mein jaari kiya jaye. Maslan agar bechne walaa urdu mein kahe keh main ne maal iitnii raqam par becha aur khareedaar kahe keh main ne qabul kiya to sauda sahi hai laikin yeh zaruri hai keh khareedaar aur bechne walaa sauda karne ka wali iraada rakhte hon y'ani yeh do jumle kahne se oon ki muraad khareed o farokht ho.
2057. Agar sauda karte vaqt segha na padha jaye laikin bechne walaa oos maal ke muqable mein jo woh khareedaar se le apna maal oos ki malkiyat mein de de to sauda sahi hai aur dono ashkhaas mut'alqa cheezon ke maalik ho jate hain.

Phalon ki Khareed o farokht

2058. Jin phalon ke phool gir chuke hon aur oon mein daane pad chuke hon, agar oon ke aafat (maslan beemarion aur kidon ke hamlon) se mahfuz hone ya na hone ke baare mein iis tarah ilm ho keh oos darakht ki paidawaar ka andaza lagaa saken to oos ke choonne se pahle oos ka bechne sahi hai balkeh agar m'aloom nab hi ho keh aafat se mahfuz hai ya nahin tab bhi agar do saaal ya iis se zayada a'rse ki paidawaar ya phalon ki taraf itnii miqdaar jo oos vaqt lagi ho bechii jaye bashart hai keh oos ki kisi had tak maliyat ho to m'amla sahi hai. Isii tarah agar zameen ki paidawaar ya kisi dusri cheez ko oos ke saath bechaa jaye to m'amlaa sahi hai laikin iis suurat mein ehtayaat-e-lazim yeh hai keh dusri cheez (jo zamnan bech raha ho woh) aisii ho keh agar beej phal na bane to khareedaar ke sarmaye ko doobne se bachaa le.

2059. Jis darakht par phal laga ho, daane banne aur phool girne se pahle oos ka bechna jayez hai laikin zaruri hai keh oos ke saathh koii aur cheez bhi beche jaisa keh iis se pahle waale massle mein bayaan kiya gaya hai ya ek saal se zayada muddat ka phal beche.
2060. Darakht par lage huye khurma ko bechne mein koii harj nahin chaahe phal kachcha ho ya pak gaya ho. Laikin ii ski qimat ke taur par khurma na diya jaye chahe isii darakht ka ho ya kisi dusre darakht ka. Albatta iis ko ratab ke saathh beche jo pak chuki ho ya abhi itnii kachchii ho keh oose khurma kaha ja sake to shkaal nahin hai. Agar kisi ke khajoor ka ek darakht kisi dusre shakhs ke ghar mein ho aur maalik ka wahan pohoonchna m,uskil ho to darakht ke phal ka takhminaa laga kar darakht oos ghar waale ko farokht kar de aur qimat mein bhi khurma hi le to koi harj nahin.
2061. kheere, baigan, sabziaan aur iin jaisii(dusri) cheezein jo saal mein kaee dafa’ utartii hon agar woh uug aayee hon aur yeh tay kar liya jaye keh khareedaar oonhein saal mein kayee dafa’ todegaa to oonhein bechne mein koi harj nahin hai laikin agar phal na laga ho to oonhein bechne mein shkaal hai.
2062. Agar daanaa aane ke ba’d gandum ke khoshe ko gandum se jo khud oos se hasil hotii hai ya kisi dusre khoshe ke a’uz bech diya jaye to sauda sahi nahin hai.

Naqd aur uudhaar ke Ehkaam

2063. Agar kisi cheez ko naqd bechaa jaye to sauda tay paa jaane ke ba’d khareedaar aur bechne wala ek dusre se cheez aur raqam ka mutaleba kar ke apne qabze mein le sakte hain. Manqula cheezon maslan qaleen aur lebaas ko qabze mein dene aur ghair manqula cheezon maqslan ghar aur zameen ko qabze mein dene se muraad yeh hai keh oon cheezon se dast bardaar ho jaye aur oonhein fareeq saani ki tahveel mein iis tarah de de keh jab woh chaahe oos mein tasarruf kar sake aur (waazeh rahe keh) mukhtalif cheezon mein tasarruf mukhtalif tareeqo se hota hai.
2064. Uudhaar ke ma’mle mein zaruri hai keh muddat thik thaak ma’loom ho. Lehaaza agar ek shakhs koi cheez iis wa’ede par beche keh woh ii ski qimat fasal uuthhne par legaa to choonakeh oos ki muddat thik thaak mo’yyin nahin huii iis liye sauda baatil hai.
2065. Agar koi shakhs apna maal uudhaar beche to jo muddat tay hue ho oos ki me’yaad poori hone se pahle woh khareedaar oos ke a’uz ka mutaleba kar sakta laikin agar khareedaar mar jaye aur oos ka pana koi maal ho to bechne wala tay shuda me’yaad poori hone se pahle hi jo raqam lenii ho oos ka mutaleba oos ke wirsa se kar sakta hai.
2066. Agar koi shakhs ek cheez uudhaar beche to tay shuda muddat guzarne ke ba’d woh khareedaar se oos ke a’uz ka mutaleba kar sakta hai laikin agar khareedaar adayegii na kar sakta ho to chaahe keh bechne wala oose muhlat de ya sauda khatm kar de aur agar woh cheez jo bechii hai maujood ho to oose vapas le le.
2067. Agar koi shakhs ek aise fard ko jise kisi cheez ki qimat ma;loom na ho oos ki kuchh miqdaar uudhaar de aur oos ki qimat oose na bataye to sauda baatil hai. Laikin agar aise shakhs ko jise cheez ki naqd qimat ma’loom ho uudhaar par mahnge daamo mein beche maslan kahe keh jo cheez mein tumhe uudhaar de raha hoon oos ki qimat se jis par main naqd bechtaa hoon ek paisa fi rupayya zayada loonga aur khareedaar iis shart ko qabool kar le to aise saude mein koi harj nahin hai.
2068. Agar ek shakhs ne koi cheez uudhaar farokht ki ho aur oos ki qimat ki wasooli ke liye muddat muqarrar ki gayee ho to agar misaal ke taur par aadhii muddat guzarne ke ba’d (farokht karne wala) waajib ul ada raqam mein katautii kar de aur baaqi mandah raqam naqd le to iis mein koi harj nahin hai.

Ma’amla Sulf ki shara’et

2069. Ma’amla sulf se muraad yeh hai keh koi shakhs naqd raqam le kar pooraa maal muqarrara muddat ke ba’d tehveel mein dene ki shart ke saathh bech de lehaaza agar khareedaar kahe keh main yeh raqam de raha hoon takeh maslan chhe mahine ba’d falan cheez ke loon aur bechne wala kahe keh main ne qabool kiya ya bechne wala raqam le le aur kahe keh main ne falan cheez bechii aur oos ka qabza chhe mahine ba’d doonga to sauda sahi hai.

2070. Agar koi shakhs sone ya chaandi ke sikke bataur sulf beche aur oos ke a’uz chaandi ya son eke sikke le to sauda baatil hai laikin agar koi aisii cheez ya sikke jo sone ya chaandi ke na hon beche aur iin ke a’uz koi dusrii cheez ya sone ya chaandi ke sikke le to sauda iis tafseel ke mutabiq sahi hai jo aayenda msale ki saatvin shart mein batayi jayegii aur ehtayaat-e-mustahab yeh hai keh jo maal beche oos ke a’uz raqam le, koi dasra maal na le.

2071. Ma’amla sulf mein saat shartein hain:

(1) Oon khususiyaat ko jin ki wajah se kisi cheez ki qimat mein farq padta hai ma’yyin kar diya jaye laikin zayada tafseelaat mein jaane ki zarurat nahin balkeh isii qadr kaafi hai keh log kahen keh oos ki khasusuyaat ma’loom ho gayee hain.

(2) Iis se pahle keh khareedaar aur bechne wala ek dusre se judaa ho jayen, khareedaar poori qimat bechne waale ko de de ya agar bechne wala khareedaar ka ootnii hi raqam ka maqruz ho aur khareedaar ko oos se jo kuchh lena ho oose maal ki qimat mein hisaab kar le aur bechne wala iis baat ko qabool kar le aur agar khareedaar oos maal ki qimat ki kuchh miqdaar bechne waale ko de to agarche oos miqdaar ki nisbat se sauda sahi hai laikin bechne wala sauda faskh kar sakta hai.

(3) Mudddat ko theek thaak ma’yyin kiya jaye aur agar bechne wala yoon kahe keh fasal ka qabza kataii par doongaa to choonk eh iis se muddat ka theek thaak ma’yyin nahin hota iis liye sauda baatil hai.

(4) Jins ka qabza den eke liye aisa vaqt ma’yyin kiya jaye jismein bechne wala jins ka qabzaa de sake khawah woh jins kamyaab ho ya zayada.

(5) Jins ka qabza dene ki jagah ehtayaat-e-waajib ki bina par mukammal taur par ma’yyin ki jaye. Laikin agar tarfeen ki baton se jagah ka pata chal jaye to oos ka naam lenaa zaruri nahin.

(6) Oos jins ka taul ya naap ya a’dad ma’yyin kiya jaye. Aur jis cheez ka sauda amuman dekh kar kiya jata hai agar oose bataur sulf bechaa jaye to oos mein koi harj nahin hai laikin yeh zaruri hai keh maslan akhrot aur andon ki ba’az qismon mein ta’daad ka farq itnaa kam ho keh log oose ehmiyat na de.

(7) Jis cheez ko bataure sulf bechaa jaye agar woh aisii hon jinhein taul kar ya naap kar bechaa jata hai to oos ka a’uz oosi jins se na ho balkeh ehtayaat-e-laazim ki bina par dusri jins mein se bhi aisii cheez na ho jise taul kar naap kar bechaa jata hai aur agar woh cheez jise bechaa ja raha hai oon cheezon mein se ho jinhein gin kar bechaa jata ho ehtayaat-e-waajib ki bina par oos ka a’uz khud oosi ki jins se zayada miqdaar mein muqarrar nahin karna chahiye.

Ma’amla Sulf Ke Ehkaam

2072. Jo jins kisi ne bataure sulf khareedi ho oose woh muddat khatm hone se pahle bechne waale ko siwa kisi aur ke haathh nahin bech sakta aur muddat khatm hone ke ba’d agarche khareedaar ne oos ka qabza nab hi liya ho oose beche mein koi harj nahin. Albatta phalon ke

a’lawa jin ghalon (maslan gehoon aur jow waghairah) ko taul kar ya naap kar farokht kiya jata hai oonhein apne qabze mein lene se pahle bechne waale ke a’lawa dusre ko oon ka bechna jayez nahin hai siwa iis ke keh (gahak ne jis qimat par khareedi ho) oosi qimat par ya oos se kam qimat par beche.
2073. Sulf ke lain dain mein agar bechne wala muddat khatm hone par oos cheez ka qabza de jis ka sauda hua hai to khareedaar ke liye zaruri hai keh agar woh cheez tay shuda shart ke mutaabiq hai to oose qabool kar le. Aur agar oos se behtar ho to qabool kar lenaa chahiye, albatta manzoor shuda shart se behtar cheez ki naïf karna behtar hai.
2074. Agar becne wala jo jins de woh oos jins se ghatiya ho jis ka sauda hua hai to khareedaar oose qabool karne se inkaar kar sakta hai.
2075. Agar bechne wala oos jins ke bajaye jiskaa sauda hua hai koi dusrii jins de aur khareedaar oose lene par raazi ho jaye to shkaal nahin hai.
2076. Jo cheez bataure sulf bechii gayee hoa agar woh khareedaar ke hawaale karne ke liye tay shuda vaqt par dastyaab na ho sake to khareedaar ko lkhtayaar hai keh intezaar kare takeh bechne wala oose muhayya kar de ya sauda faskh kar de aur ji cheez bechne waale ko di ho ya oos ka badal oos se waapas le le aur ehtayaat-e-waajib ki bina par woh cheez bechne waale ko zayada qimat par nahin bech sakta.

Sone chaandi ko sone chaandi ke a’uz bechnaa

2077. Agar ek shakhs ko koi cheez beche aur ma’aheda kare keh kuchh muddat ba’d woh cheez khareedaar ke hawaale kar degaa aur oos ki qimat bhi kuchh muddat ba’d legaa to aisa sauda baatil hai.
2078. Agar sone ko sone se ya chaandi ko chaandi se bechaa jaye to chaahe woh sikkedaar hon ya na hon agar oon mein se ek ka wazan dusre se zayada ho to aisaa sauda haraam aur baatil hai.
2079. Agar sone ko chaandi se ya chaandi ko sone se naqd bechaa jaye to sauda sahi hai aur zaruri nahin keh dono ka wazan barabar ho. Laikin agar ma’amla uudhaar ho to baatil hai.
2080. Agar sone ya chaandi ko sone ya chaandi ke a’uz bechaa jaye to zaruri hai keh bechne wala aur khareedaar ek dusre se juda hone se pahle jins aur oos ka a’uz ek dusre ke hawaale kar dein. Aur agar jis cheez ke baare mein ma’amla tay hua hai oos ki kichh miqdaar bhi ek dusre ke hawaale na karein to ma’amla baatil hai.
2081. Agar bechne wala ya khareedaar tay shuda maal poora dusre ke hawaale kar de Laikin dusra maal ki kuchh miqdar hawaale kare aur phir woh ek dusre se juda ho jayen to agar che itnii miqdaar ke mut’aliq ma’amla sahi hai laikin jis ko poora maal na milaa ho woh sauda sahi faskh kar sakta hai.
2082. Agar chaandi ki kkan ki mitti ko khalis chaandi se aur sone ki kaan ki mitti ko khalis sone se bechaa jaye to sauda baatil hai. Magar yeh keh jab hante honk eh maslan chaandi ki mitti ki miqdaar khalis chaandi ki miqdaar ke barabar hai. Albatta iis tareeqe se jo pahle bataya ja chuuka hai chaandi ki mitti ko son eke a’uz aur sone ki mitti ko chaandi ke a’uz bechne mein koi ishkaal nahin.

Ma’amla faskh kiye jaane ki suuratein

2083. Ma’amla faskh karne ke haq ko “khayaar” kahte hain aur khareedaar aur bechne wala 11 suuraton mein ma’amla faskh kar sakta hai:

(1) Jis majlis mein ma’amla hua hai woh barkhast nahuee ho, agarche sauda ho chuuka ho, oose “khayaar majlis” kahte hain.

(2) Khareed o farokht ke ma'amle mein khareedaar ya bechne wala naiz dusre ma'amlaat mein tarfeen mein se koi ek maghboon ho jaye, oose "khayaar ghain" kahte hai (maghboon se muraad woh shakhs hai jis ke saath fraud kiya gaya ho) khayaar ki iis qism ka mansha a'rf a'am mein shart aartkaazi hota hai y'ani har ma'amle mein rafqeen ke zehan mein yeh shart maujood hoti hai keh jo maal hasil kar raha hai oos ki qimat maal se bahut zayada kam nahin khawah adaa kar raha hai aur agar oos ki qimat kam ho to woh ma'amle ko khatm karne ka haq rakhta hai. Laikin a'rf khaas ki chand suurraton mein artkaazi shart dusri tarah ho maslan yeh shart ho keh agar jo maal ho woh balehaaz qimat oos maal se kam ho jo oos ne diya hai to dono (maal) ke dirmiyaan jo kami beshii hogi oos ka mutaleba kar sakta hai aur agar mumkin na ho sake to ma'amle ko khatm kar de. Aur zaruri hai keh iis qism ki suuraton mein a'rf khaas ka khayaal rakha jaye.

(3) Sauda karte vaqt yeh tay kiya jaye keh muqarrar muddat tak fareqeen ko ya kisi ek fareeq ko sauda faskh karne ka ikhtayaar hoga. Ooe "khayaar shart" kahte hain.

(4) Fareqeen mein se ek fareeq apne maal ko oos ki asliyat se behtar bata kar pesh kare jis ki wajah se dasra fareeq oos mein dilchaspi le ya oos ki dilchaspi oos mein badh jaye oose "khayar tadlees" kahte hain.

(5) Fareqeen mein se ek fareeq dusre ke saathyh shart kare keh woh falan kaam anjaam dega aur iis shart par a'mal na ho ya shart kare keh ek makhsus qism ka ma'yyin maal dega aur jo maal diya jaye oos mein woh khasusiyat na ho, iis susrat mein shart lagane wala fareeq ma'amle ko faskh kar sakta hai. Oose "khayaar takhalf shart" kahte hain.

(6) Di jaane waali jins ya oos ke a'uz mein koi a'ib ho. Oose "khayaar a'ib" kahte hain.

(7) Yeh pata chale keh fareqeen ne jis jins ka sauda kiya hai oos ki kuchh miqdaar kisi aur shakhs ka maal hai. Iis suurat mein agar iis miqdaar ka maalik saude par raazi na ho to khareedne wala sauda faskh kar sakta hai ya agar itnii miqdaar ki adayegii kar chuuka ho to oose wapas le sakta hai. Oose "khayaar shirkat" kahte hain.

(8) Jis ma'yyin jins ko dusre fareeq ne na dekha ho agar oos jins ka maalik oose oos ki khasusiyaat bataye aur ba'd mein ma'loom ho keh jo khasusiyaat oos ne batayee thhi woh oos mein nahin hain ya dusre fareeq ne pahle oos jins ko dekha thh aur oos ka khayaal thha keh woh khasusiyaat ab bhi oss mein baaqi hain laikin dekhne ke ba'd ma'loom ho keh woh khasusiyaat ab oos mein baaqi nahin hain to iis suurat mein dusre fareeq ma'amla faskh kar sakta hai. Oose "khayaar rauiyat" kahte hain.

(9) Khareedaar ne jo jins khareedi ho agar o ski qimat teen din tak na de aur bechne waale neb hi woh jins khareedaar ke hawaale na ki ho to bechne wala saude ko khatm kar sakta hai. Laikin aisa oos suurat mein ho sakta hai jab bechne waale ne khareedaar ko qimat adaa karne ki mohlat di ho agarche muddat ma'yyin na ki ho. Agar oos ko bilkul mohlat na di ho to bechne qaala qimat ki adayegii mein ma'mooli si takheer se bhi sauda khatm kar sakta hai. Agar oose teen din se zayada mohlat di ho to muddat poori hone se pahle sauda khatm nahin kar sakta. Aur agar jo jins bechi hai woh aisii sabzian ya phal hon jo teen din se zayada baaqi rahne se zay'e ho jaate hain to oon ki mohlat kam honi chahiye. Oose "khayaar takheer" kahte hain.

(10) Jis shakhs ne koi jaanwar khareeda ho woh teen din tak sauda faskh kar sakta hai aur jo cheez oos ne bechi ho agar oos ke a'[uz mein khareedaar ne jaanwar diya ho to jaanwar bechne wala bhi teen din tak sauda faskh kar sakta hai. Oose "khayaar haiwaan" kahte hain.

(11) Bechne waale ne jo cheez bechi ho agar oos ka qabza na de sake, maslan jo ghoda oos ne bechaa ho woh bhaag gaya ho to oos suurat mein khareedaar sauda faskh kar sakta hai. Oose "khayaar ta'zir tasleem" kahte hain.

Khayaar ki iin tamaam aqsaam ke tafseeli ehkaam aayendah massa'el mein bayaan kiye jayenge.

2084. Agar khareedaar ko jins ki qimat ka ilm na ho ya woh sauda karte vaqt ghaflat barte aur oos cheez ko a'am qimat se mahngaa khareede aur yeh qimat khareedi badi had tak mahngii ho to woh sauda khatm kar sakta hai bashart hai keh sauda khatm karte vaqt jis qadr farq ho woh maujood bhi ho aur agar farq maujood na ho to oos ka haq khayaar mehal ishkaal hai. Neiz agar bechne waale ko jins ki qimat ka ilm na ho ya suada karte vaqt ghaflat barte aur oos jins ko oos ki qimat se sastaa beche aur badi had tak sasta beche to sabqaa shart ke mutabiq sauda khatm kar sakta hai.

2085. Masshroot khareed o farokht mein jab keh misaal ke taur par ek laakh rupayye ka makaan pachaas hazaar rupayyae mein bech diya jaye aur tay kiya jaye keh agar bechne wala muqarrar muddar tak raqam waapas kar de to sauda faskh kar sakta hai to agar khareedaar aur bechne wala haqiqatan khareed o faorkht ki niyyat rakhte hon to sauda sahi hai.

2086. Masshrut khareed o farokht mein agar bechne waale ko itminaan ho keh khareedaar muqarrar muddat mein raqam adaa na kar sakne ki suurat mein maal waapas kar degaa to sauda sahi hai. Laikin agar woh muddat khatm hone tak raqam adaa na kar sake to woh khareedaar se maal ki waapasi ka mutaleba karne ka haq nahin rakhta aur agar khareedaar mar jaye to oose ke wirsa se maal ki waapasi ka mutaleba nahin kar sakta.

2087. Agar koi shakhs umdah chaye mein ghatia chaye ki milaawat kar ke umdah chaye ki taur par beche to khareedaar sauda faskh kar sakta hai.

2088. Agar khareedaat ko pata chale keh jo ma'yyin maal oos ne khareeda hai woh a'ibdaar hai, maslan ek jaanwar khareede aur (khareedne ke ba'd) oose pata chale keh oos ki ek aankh nahin hai lehaaza agar yeh a'ib maal mein saude se pahle thha aur oose ilm nahin thha to woh sauda faskh kar sakta hai aur maal bechne waale waapas kar sakta hai. Aur agar waapas karna moonkin na ho maslan oos maal mein koi tabdeeli ho gayee ho jaise koi naya a'ib paida ho gaya ho ya aisa tasarruf kar liya gaya ho jo waapasi mein rukaawat ban raha ho maslan oos maal ko farokht kar diya ho ya kiraye par de diya ho ya keeda kaat gaya ho joya sii diya ho to oos suuraton mein woh be a'ib aur a'ibdaar maal ki qimat ke farq ka hisaab kar ke bechne waale se farq ki raqam waapas le le. Maslan agar oos ne koi maal chaar rupayye mein khareeda ho aur oose oos maal ke a'ib daar hone ka ilm ho jaye to agar aisa hi bea'ib maal (bazaar mein) aathh rupayye ka aur a'ibdaar chhe rupayye ka ho to choonakeh bea'ibdaar ki qimat ka farq ek chawthhayee hai iis liye oos ne jitni raqam di hai oos ka ek chawthhaee y'ani ek rypayya bechne waale se waapas le sakta hai.

2089. Agar bechne waale ko pata chale keh oos ne jis ma'yyin a'uz ke badle apna maal becha hai oos mein a'ib hai to agar woh a'ib iis a'uz mein saude se pahle maujood thha aur oose ilm na hua ho to woh sauda faskh kar sakta hai aur woh a'uz oos ke maalik ko waapas kar sakta hai. Laikin agar tabdeeli ya tasarruf ki wajah se waapas na kar sake to bea'ib aur a'ibdaar ki qimat ka farq oos qa'ede ke mutabiq le sakta hai jis ka zikr sabqa massle mein kiya gaya hai.

2090. Agar sauda karne ke ba'd aur qabza dene se pahle maal mein koi a'ib paida ho jaye to khareedaar sauda faskha kar sakta hai neiz jo cheez maal ke a'uz di jaye agar oos mein sauda karne ke ba'd aur qabza dene se pahle koi a'ib paida ho jaye to bechne wala sauda faskh kar sakta hai aur agar fareqeen qimat ka farq lenaa chaahe to sauda tay na hone ki suurat mein cheez ko lautana jayez hai.

2091. Agar kisi shakhs ko maal ke a’ib ka ilm sauda karne ke ba’d ho to agar woh (sauda khatm karna) chaahe to zaruri hai keh fauran dause ko khatm kar de aur – ikhtelaaf ki suuraton ko pesh nazr rakhte huye – agar ma’mooli se zayada takheer kare to woh saude ko khatm kar sakta hai.
2092. Jab kisi shakhs ko koi cheez khareedne ke ba’d oos ke a’ib to khawah bechne wala oos par tayyar na bhi ho to khareedaar sauda faskh kar sakta hai aur dusre khayaaraat ke liye bhi yahi hukm hai.
2093. Do suuraton mein khareedaar maal mein a’ib hone ki bina par sauda faskh nahin kar sakta aur na hi qimat ka farq le sakta hai:
2094. Agar khareedaar ko ma’loom ho keh maal mein ek a’ib hai aur oose vasool karne ke ba’d oos mein koi aur a’ib nikal aaye to woh sauda faskh nahin kar sakta. Laikin be a’ib aur a’ibdaar maal ka farq le sakta hai. Laikin agar woh a’ibdaar haiwaan khareede aur khayaar ki muddat jo keh teen din hai guzarne se pahle oos haiwaan mein kisi aur a’ib ka pata chal jaye to go khareedaar ne oose apni tehveel mein le liye ho phir woh oose waapas kar sakta hai. Neiz agar faqt khareedaar ko kuchh muddat tak sauda faskh karne ka haq haasil ho aur oos muddat ke dauraan maal mein koi dasra a’ib nikal aaye to agarche khareedaar new o maal apni tehveel mein le liye ho to bhi sauda faskh kar sakta hai.
2095. Agar kisi shakhs ke paas aisa maal ho jise oos ne bachasm khud na dekha ho aur kisi dusre shakhs ne maal ki khasusiyaat oose batayee hon aur wahi khasusiyaat khareedaar ko bataye aur woh maal oos ke haathh bech de aur farokht karne ke ba’d maalik ko pata chale keh woh maal oos se behtar khasusaiyaat ka hasil hai to woh sauda faskh kar sakta hai.

Mutafarriq Massa’el

2096. Agar bechne wala khareedaar ko kisi jins ki qimat khareed bataye to zaruri hai keh woh tamaam cheezein bhi oose bataye jin ki wajah se maal ki qimat ghatti badhti hai. Agarche oosi qimat par (jis par khareeda hai) ya oos se bhi kam qimat par beche. Maslan oose batana zaruri hai keh maal naqd khareeda hai ya uudhaar lehaaza oos maal ki kuchh khasusiyaat na bataye aur khareedaar ko ba’d mein ma’loom ho to woh sauda faskh kar sakta hai.
2097. Agar insaan koi jins kisi ko de aur oosi ki qimat ma’yyin kar de aur kahe: “Yeh jins oos qimat par becho aur oos se zayada jitni qimat wasool karoge woh tumhari mehnat ki ujrat hogi” to oos suurat mein woh shakhs oos qimat se zayada jitni qimat bhi wasool kare woh jins ke maalik ka maal hoga aur bechne wala maalik se faqt mehantana le sakta hai. Laikin agar mo’aheda bataure ja’alah ho aur maal ka maalik kahe: Agar too ne yeh jins oos qimat se zayada par bechi to fazil aamdani teraa maal hai” to iis mein koi harj nahin.
2098. Agar qassab nar jaanwar ka gosht kah kar beche to woh goonahgaar hoga. Lehaaza agar woh oos gosht ko ma’yyin kae de aur kahe keh main yeh nar jaanwar ka gosht bech raha hoon to khareedaar sauda faskh kar sakta hai aur agar qassab oos gosht ko ma’yyin na kare aur khareedaar ko jo (madah ka) gosht mila ho woh oos par raazi na ho to zaruri hai keh qassab oose na jaanwar ka gosht de.
2099. Agar khareedaar bazaaz se kahe keh mujhe aisa kapda chahiye jis ka rang kachcha na ho aur bazaaz ek aisa kapda oos ke haathh farokht kare jis ka rang kachcha ho to khareedaar sauda faskh kar sakta hai,
2100. Agar farokht karne farokht ki huyee cheez ko khareedaar ke hawaale na kar sake maslan ghode ka sauda kiya thha, bhaag jaye to oos suurat mein sauda batil hai aur khareedaar apni raqam ka mutaleba kar sakta hai.

Sharakat ke Ehkaam

2101. Do aadmi agar baaham tay Karen keh apne mushtar keh maal se baiopaar kar ke jo kuchh nafa' kamaye ge oose aapas mein taqseem kar lenge aur woh a'rbi ya kisi dusri zabaan mein sharakat ka segha padhein ya koi aisa kaam Karen jis se zaahir hota ho keh woh ek dusre ke shareek banna chahte hain to oon ki sharakat sahi hai.
2102. Agar chand ashkhaas oos mazdoori mein jo woh apni mehnat se hasil karte hone k dusre ke saathh sharakat Karen maslan chand hajjam aapas mein tay Karen keh jo ujrat hasil hogi oose aapas mein taqseem kar leinge to oon ki sharakat sahi nahin hai. Laikin agar baaham tay Karen keh maslan hsr ek ki aadhii mazdoori ma'yyin muddat tak ke liye dusre ki aadhii mazdoori ke badle mein hogii to ma'amla sahi hai aur oon mein se har ek dusre ki mazdoori mein shareek hoga.
2103. Agar do ashkhaas aapas mein iis tarah sharakat Karen keh oon se har ek apni pasand se jins khareede aur wahi oos ki qimat ki adayegii ka zimmedaar ho laikin jo jins don one khareedi ho oos ke nafa' mein ek dusre ke saathh shareek hon to aisii sharakat sahi nahin hai, albatta agar oon mein se har ek dusre ko apna vakeel banaye keh jo kuchh woh uudhaar le raha hai oos mein oose shareek kar le y'ani jins ko apne aur apne hissedaar ke liye khareede jis ki bina par dono maqruz ho jayen to dono mein se har ek jins mein shareek ho jayegaa.
2104. Jo ashkhaas sharakat ke zariye ek dusre ke shareek ban jayen oon ke liye zaruri hai keh baaligh aur a'qil hon. Neiz yeh keh iraade aur ikhtayaar ke saathh sharakat Karen aur yeh bhi zaruri hai keh woh apne maal mein tasarruf kar sakte hon. Lehaaza safiya – jo apna maal fazool kaamon mein kharch karta hai – apne maal mein tasarruf ka haq nahin rakhta. Agar woh kisi ke saathh sharakat kare to sahi nahin hai.
2105. Agar sharakat ke m'ahede mein yeh shart lagayee jaye keh jo shakhs kaam karegaa ya jo dusre shareek se zayada kaam karegaa ya jis ka kaam ki dusre ke kaam ke muqaable mein zayada ehmiyat hai oose moonafa' mein zayada hissa milegaa to zaruri hai keh jaisa tay kiya gaya ho mut'alqa shakhs ko oosi ke mutabiq den. Aur isii tarah agar shart lagayee jaye keh jo shakhs kaam nahi kahegaa ya zayada kaam ya jis ke kaam ki dasr eke kaam muqaable mein zayada ehmiyat nahin hai oose moonaf'e ka zayada hissa milega tab bhi shart sahi hai aur zaruri hai keh jot ay kiya gaya ho mut'alqa shakhs ko oosi ke mutabiq den.
2106. Agar shirka' tay Karen keh saara moonafa' kisi ek shakhs ka hoga ya saara nuqsaan kisi ek ko bardasht karna hoga to sharakat sahi hone mein ishkaal hai.
2107. Agar shirka' yeh tay na Karen keh kisi ek shareek ko zayada moonafa' milegaa, to agar oon mein se har ek ka sarmaya ek jitna ho to nafa' wa nuqsaan bhi oon ke maabeen barabar taqseem hoga aur oon ka sarmaya barabar barabar na ho to zaruri hai keh nafa' wa nuqsaan sarmaye ki nisbat se taqseem Karen. Maslan agar do afraad sharakat Karen aur ek ka sarmaya dusre ke sarmaye se dogoona ho to nafa' wa nuqsaan mein bhi oos ka hissa dusre se dogoona hoga khawah dono ek jitna kaam karen ya ek thoda kaam kare ya bilul kaam na kare.
2108. Agar sharakat ke ma'hede mein yeh tay Karen keh dono shareek nil kar kharee o farokht karenge ya har ek anfaradi taur par lain dain karne ka majaaz hoga ya oon mein se faqt ek shakhs lain dain karegaa ya teesra shakhs ujrat par lain dain karegaa to zaruri hai keh oos ma'ahede par a'mal Karen.
2109. Sharakat do qism ki hai: Ek sharakat azni (jo ijaazat par bani hai) aur woh yeh hai keh maal tijaarat tamaam shirka' ki mushtarak milkiyat ho. Dusri sharakat ma'awazi hai. Yeh iis tarah hai keh har shareek apne maal ko sharakat ke liye haazir kare aur oon mein se har ek apne nisf maal ko dusre ke nisf maal ka mu'awaza qaraar de. Agar sharakat daar apne shirka' mein se kisi ek ko oos sarmaye ke zariye khareed o farokht ke liye ma'yyin na Karen to sharakat ki iis qism mein jo ijaazat par bani hai shirka' mein se koi bhi dasron ki ijaazat ke baghair oos sarmaye

se khareed o farokht nahin kar sakta. Laikin sharakat mu'awazi mein agar iis tarah kaam Karen keh nuqsaan na ho to ek khareed o farokht kar sakta hai.

2110. Jo sharakat ke sarmaye par ikhtayaar rakhta ho oos ke liye zaruri hai keh sharakat ke mu'haide par a'mal kare. Maslan agar oos se tay kiya gaya ho keh uudhaar khareedega ya naqd bechega ya kisi khaas jagah se khareedega to jo mu'haida tay paya hai ooske mutabiq a'mal karna zaruri hai. Agar ooske saathh kuchh tay na hua ho to zaruri hai keh khareedi ke usool ke mutabiq imaandaari se iis tarah lain dain kare keh sharakat ko nuqsaan na ho.

2111. Jo sharakat ke sarmaye se saude karta ho agar jo kuchh oos ke saathh tay kiya gaya ho oos ke barkhilaaf khareed o farokht kare ya agar kuchh tay na kiya gaya ho aur ma'mool ke khilaaf sauda jare to oon dono suuraton mein agarche aquwi qaul ke bina par ma'amla sahi hai laikin agar ma'amla nuqsaandeh ya sharakat ke maal mein se kuchh maal za'ye ho jaye to jis shareek ne mu'haide ya ma'mool ke khilaaf a'mal kiya hai woh zimmedaar hai.

2112. Jo shareek sharakat ke sarmaye se kaarobaar karta ho agar woh fazool kharchi na kare aur sarmaye ki nigaahdasht mein bhi kotaahi na kare aur phir ittefaqan oos sarmaye ki kuchh miqdaar ya saare ka saara sarmaya talf ho jaye to woh zimmedaar nahin hai.

2113. Jo shareek sharakat ke sarmaye se kaarobaar karta ho agar woh kahe keh sarmaya talf ho gaya hai to agar woh dusre shirka' ke nazdeek mo'etbar shakhs ho to zaruri hai keh oos ka kahna maal le aur agar dusre shirka' ke nazdeek woh mo'etbar shakhs na ho to shirka' hakim shar'a ke paas oos ke khilaaf dawa' kar sakte hain takeh hakim shar'a qazawat ke usoolon ke mutabiq tanaze'e ka faisla kare.

2114. Agar sharakat azni mein tamaam shareek iis ijaazat se jo oonh one ek dusre ko maal mein tasarruf ke liye de rakhi ho phir jayen to oon mein se koi bhi sharakat ke maal mein tasarruf nahin kar sakta. Laikin jo shakhs apni di huyee ijaazat se phir gaya ho woh sharakat ke maal mein tassarruf kar sakta hai. Aur behar haal maal mein sab ki sharakat oosi tarah baaqi rahegi.

2115. Sharakat azni mein jab shirka' mein se koi ek taqaza kare keh sharakat ka sarmaya taqseem kar diya jaye to agarche sharakat ke ma'yyina muddat mein bhi kuchh vaqt baaqi ho to dasron ko oos ka kahna maan lena zaruri hai magar yeh keh oonhone pahle hi (mo'haida karte vaqt) sarmaye ki taqseem ko rad kar diya ho (y'ani qabool na kiya ho) ya maal ki taqseem shirka' ke liye qabil zikr nuqsaan ka maujab ho (to oos ki baat qabool nahin karni chahiye).

2116. Sharakat azni mein agar shirka' mein se koi mar jaye ya deewana ya behawaas ho jaye to dusre shirka' sharakat ke maal mein tasarruf nahin kar sakte aur agar oon mein se koi safia ho jaye y'ani apna maal fazool kaamon mein kharch kare to oos ka bhi yahi hukm hai.

2117. Agar shareek apne liye koi cheez uudhaar khareede to oos nafa' wa nuqsaan ka woh khud zimmedaar hai. Laikin agar sharakat ke liye khareede aur sharakat ke mo'haide mein uudhaar ma'amla karna bhi shamil ho to phir nafa' wa nuqsaan mein dono shareek honge.

2118. Agar shirka' mein se koi ek sharakat ke sarmaye se koi sauda kare aur ba'd mein ma'loom ho keh sharakat batil thhi to agar suurat yeh ho keh ma'amla karne ki ijaazat mein sharakat ke sahi hone ki qaid na thhi y'ani agar shirka' jaante hote keh sharakat durust nahin hai tab bhi woh ek dusre ke maal mein tasarruf par raazi thhe to ma'amla sahi hai aur jo kuchh oos ma'amle se haasil ho woho on sab ka maal hai. Agar aisa na ho to oos suurat mei keh jo log dasron ke tasarruf par raazi nahin thhe, yeh kah dein keh ham oos ma'amle par raazi hain to ma'amla sahi hai warna batil hai. Har suurat mein iin mein se jis ne bhi sharakt ke liye kaam kiya ho agar oos ne bila mu'awaza kaam karne ke iraade se na kiya ho to woh apni mehnat ka mu'awaza ma'mool ke mutabiq dusre shirka' se oon ke mafaad ka khayaal rakhte huye le sakta hai. Laikin agar kaam karne ka mua'waza oos faide ki miqdaar se zayada ho jo woh sharakat sahi hone ki suurat mein leta to woh bas oosi qadr faida le sakta hai.

Sulah ke Ehkaam

2119. "Sulah" se muraad hai ke insaan kisi dusre shakhs ke saath is baat par ittefaaq kare ke apne maal se ya apne maal ke moonaafe se kuch miqdaar dusre ko de de ya apna qarz ya haq chod de taakeh dasra bhi oske a'ewaz apne maal ya moonaafe ki kuch miqdaar osse de de ya qarz ya haq se dastbardaar ho jaaye. Balkeh agar koi shakhs a'ewaz liye baghair kisi se ittefaaq kare ya apna maal ya apne maal ka moonaafe ki kuch miqdaar ossko de de ya apna qarza ya haq chod de tab bhi sulah sahi hai.
2120. Jo shakhs apna maal bataur-e-sulah dusre ko de ooske liye zaruri hai ke woh baaligh ho, a'aqil ho aur sulah ka qasd rakhta ho aur kisi ne oose sulah par majboor nahi kiya ho aur zaruri hai ke safia ya diwaalia hone ki bina par oose apne maal mein tasarruf karne se na roka gaya ho.
2121. Sulah ka segha a'rbi mein padhna zaruri nahi hai balkeh jin alfaaz aur kaamo se oos baat ka izhaar ho raha ho keh fareqeen ne aapas mein sulah aur ittefaaq kar liya hai sahi hai.
2122. Agar koi shakhs apne bhede charwaahe ko de ke maslan woh ooski ek saal tak oonki nigaahdaasht kare aur oonke doodh se khud istefada haasil kare aur ghee ki kuch miqdaar maalik ko de de to agar charwaahe ki mehnat aur ooske ghee ke muqable mein woh shakhs bhedo ki doodh par sulah kar le to mamla sahi hai balkeh bhede charwaahe ko ek saal ke liye ijaare par de aur woh ooske doodh se istefada kare aur ooske a'ewaz ooose kuch ghee de aur yeh qaid na lagaaye ke bil khusoos inhi bhedo ka ghee ho ya doodh ho to bhi ijaara sahi hai.
2123. Agar koi qarza khwaha oos qarze ke badle jo oose maqruz se wasool karna hai ya apne haq ke badle oos shakhs se sulah karna chaahe to yeh sulah is suurat mein sahi hai ke jab dasra oose qabool kar le. Laikin agar koi shakhs apne qarz ya haq se dastbardaar hona chaahe to dusre ka qabool karna zaruri nahi.
2124. Agar maqruz apne qarze ki miqdaar jaanta ho jabke qarz khawah ko ilm na ho aur qarz khawah ne jo kuch lena ho osse kam par sulah kar le maslan ooosne 50 rupayye lene the aur 10 rupayye par sulah kar le to baaqi maanda raqam maqruz ke liye halaal nahi hai. Siwaaye is suurat mein ke woh jitney qarze ka deindaar hai ooske muta'liq khud qarz khawah ko bata de aur oose raazi kar le ya suurat aisi ho ke agar qarz khawah ko agar qarze ki miqdaar ka i'lm hota tab bhi woh isi miqdaar (ya'ni 10 rs) par sulah kar leta.
2125. Agar do admiyo ke beech koi maal maujood ho ya ek dusre ke zimme koi maal baaqi ho oonhein yeh ilm ho ke oon dono amwaal mein se ek maal dusre maal se zyada hai chunanche oon dono amwaal ko ek dusre ke a'ewaz farokht karna sood hone ki bina par haraam hai iis liye oon dono mein se ek dusre ke a'ewaz sulah karna bhi haraam hai balkeh agar oon dono amwaal mein se ek dusre se ztaada hone ka ilm nab hi ho laikin zyaada hone ka ehtemaal ho to ehtayaat-e-laazim ki bina par oon dono mein ek dusre ke a'ewaz sulah nahi ki jaa sakti.
2126. Agar do ashkaas ko ek shakhs ya do ahskhaas ko dusre do ashkhaas se qarza wasool karna ho aur woh apni apni talab par ek dusre se sulah karna chahte ho aur sulah karna sood ka ba'es na ho jaisa ke sabeqa massle mein kaha gaya hai to koi harj nahi hai. Balkeh gar dono ko 10 man gehoon wasool karna ho (Aur ek ka gehoon alaa ho aur dusre ka gehoon darmiyaai darje ka ho) aur dono ki muddat poori ho chuki hai to oon dono ka aapas mein muslahat karna sahi hai.
2127. Agar ek shakhs ko apna qarza kisi se kuch muddat ke ba'd waapas lena ho aur woh maqruz ke saath muqarrar muddat se pahle mo'yyin miqdaar se kam par sulah kare aur ooska maqsad yeh ho k eke apne qarze ka kuch hissa maaf kar de aur baaqi maanda naqad le le to is mein koi harj nahi hai. Aur yeh hukm is suurat mein hai ke jab qarza sone ya chaandi ki shakl mein ya kisi aisi jins ki shakl mein ho jo naap kar ya taul kar bechi jaati hai aur agar oos kism kin

a ho to qarz khawah ke liye jayez hai ke apne qarze se kamtar miqdaar par maqruz ya kisi aur se sulah kae le ya bech de jaisa ke massla no. 2248 mein bayaan hoga.
2128. Agar do askhaas kisi cheez par aapas mein sulah kar letoek dusre ki raza mandi se oos sulah ko tod sakte hai. Neiz agar saude ke silsile mein dono ko ya kisi ek ko sauda fasq karne ka haq diya gaya ho to jis ke paas haq hai woh sulah ko fasq kar sakta hai.
2129. Jab tak khareedaar aur bechne wala ek dusre se juda na ho gaye ho saude ko fasq kar sakte hain. Neiz agarche khareedaar ek jaanwar khareede to woh teen din tak sauda fasq karne ka haq rakhta hai. Isi tarah agar ek khareedaar kahreedi hui jins ki qeemat ten din tak ada na kare aur jins ko apni tehweel mein na le to jaisa ke massla no. 2081 mein bayaan ho chuuka hai bechne wala sood de to fasq kar sakat ahi. Laikin jo shakhs kisi maal par sulah kare woh oon teeno suurato mein sulah fasq karne ka haq nahi rakhta. Laikin agar sulah ka dasra fareeq massaalihat ka maal dene mein ghair ma'amuli taakheer kare to is suurat mein sulah fasq ki ja sakti hai. Isii tarah baaqi suurato mein bhi jinka zikr khareed o farokht ke ehkaam mein aaya hai sulah fasq ki ja sakti hai aur agar massalihat ke dono fareeqon mein ek ko dhoka hua ho to iis suurat mein bhi woh sulah khatm kar sakta hai. Laikin agar sulah jhagda kham karne ke liye ho to woh sulah khatm nahi kar sakta. Albatta is suurat ke al'awa dhokha khaane wala bhi ehtayaat-e-waajib ki bina par sulah khatm nahi kar sakta.
2130. Jo cheez bazariya-e-sulaah mile agar woh aib daar ho to to sulah fasq ki jaa sakti hai laikin agar mutaleqa shakhs aib aur be aibdaar ke qeemat ka farq lena chahe to oos mein ishkaal hai.
2131. Agar koi shakhs apne maal ke zariye dusre se sulah kare aur oos ke saath shart thehraye aur kahe ke "jis cheez par main ne tum se sulah ki hai mere marne ke ba'd maslan tum oose waqf kar doge" aur dasra shakhs bhi oosko qubool kar leto zaruri hai ke oos shart par amal kare.

Kiraaye ka Ehkaam

2132. Koi cheez kiraaye par dene waale aur kiraaye par lene waale ke liye zaruri hai ke baaligh aur aaqil ho aur kiraaya lene ye kiraaya dene ka kaam apne ikhtayaar se kare. Yeh zaruri hai ke apne maal mein tasarruf ka haq rakhte ho. Lehaaza chuke safiya apne maal mein tasarruf karne ka haq nahi rakhta is liye na woh koi cheez kiraaye par nahi de sakta jin mein woh tasarruf ka haq nahi rakhta aur na woh oon mein se koi cheez kiraaye se de sakta hai koi cheez kiraye par le sakta hai. Isi tarah jo shakhs diwaliyai ho chuka ho woh oon cheezon ko kiraaye par nahi de sakta jin mein woh tasarruf ka haq na rakhta ho na woh on mein se koi cheez kiraaye pe le sakta hai laikin apni khidmaat ko kiraaye par pesh kar sakta hai.
2133. Insaan dusre ki taraf se wakil ban kar ooska maal kiraye par de sakta hai ya koi maal ooske liye kiraaye par le sakta hai.
2134. Agar bacche ka sarparast ya ooske maal ka moontazim bachhe ka maal kiraaye par de ya bacche ko kisi ka ajeer muqarrar kar de to koi harj nahi hai. Aur agar bacche ke baaligh hone ke ba'd kuch muddat ko bhi ijaare ki muddat ka hissa qaraar diya jaaye to bachha baaligh hone ke ba'd baaqi maandah ijaara fasq kar sakta hai agarche suurat yeh ho ki bacche ke baaligh hone ki kuch muddatko ijaara ki muddat ka hissa na banya jaata to yeh bacche ke liye muslehat ke khilaaf hota. Haan agar woh muslehat shar'e laazmi muslahet ke barkhilaaf thi ya'ni jiske baare mein yeh ilm hoke shar'a muqqadas is muslehat ko tarq karne par raazi nahi hai aur is suurat mein agar Haakim-e-shar'a ki ijaazat se ijaara waq'e ho to baccha baaligh hone ke ba'd ijaara fasq nahi kar sakta.
2135. Jis na baaligh bacche ka sarparast na ho oose mujtahid ki ijaazat ke baghair mazdori par nahi lagaaya jaa sakta aur jis shakhs ki rasa'e mujtahid tak na ho woh ek momin shakhs ki ijaazat lekar jo aadil ho to bacha baaligh hone ke ba'd ijaara faqs nahi kar sakta.

2136. Ijaara dene waale aur ijaara lene waale ke liye zaruri nahi ke segha arbi zabaan mein padhe balke agar kisi cheez ka maalik dusre se kahe ke main ne apna maal tumhe ijaare pae diya aur dasra kahe ke main ne qabool kiya to ijaara sahi hai balke agar woh muh se kuch bhi na kahe aur maalik apna maal ijaare ki qasad se musrajir ko de aur woh bhi ijaare k qasad se le to ijaare ke qasad se le to ijara sahi hai.
2137. Agar koi shakhs chaahe ke ijaare ka segha padhe baghair koi kaam karne ke liye ajeer ban jaaye to jo hi woh kaam karne mein masshghool hoga ijaara sahi ho jaayega
2138. Jo shakhs bol na sakta ho agar woh ishaare se samjhaaye deke oosne koi cheez ijaare par di hai ya ijaare par li haito woh ijaara sahi hai.
2139. Agar koi shakhs makaan ya dukaan ya dusre tamaam cheezein ijaaare par le aur ooska maalik yeh shart lagaaye ke sirf woh oska istefada kar sakta haito mustajeer oose kisi dusre ko ijaare par nahi de saktabajuz iske keh ijaareis tarah ho ke oska faayeda bhi kiraaye par lene waale se maqsoos ho. Maslan aek aurat ek makaan ya karma kiraaye par le aur ba’d mein shadi ka le aur karma ya makaan apni ri’haish ke liye kiraaye par de (ya’ni shohar ko kiraayepar de kyoonki biwi ki rihayish ke intezaam ki zimmedaari shohar ki hai). Aur agar maalik aisi koi shatr na lagaye to kiraaye par lene wala oose dusre ko kiraye par de saktahai. Albatta maal ko kiraaye daar ke supurd karne ke liye ehiyat ki bina par zaruri hai ke maalikse ijaaazat le le. Laikin agar woh yeh chahe ke jitney kiraaye par liya hai oose zyaada kiraaye par de agarche kiraya dusri jins se ho to aisi suurat mein ke woh akaan ya dukaan ka kashti ho to zaruri hai ke oosme oos mein koi kaaam maslan marramat aur safedi waghairah karaayi ho ya ooski hifaazat ke liye kuch nuksaan bardaasht kiya ho (to woh oose zyaada kiraaye par de sakta hai).
2140. Agar mazdoor, kisi shakhs se yeh shart tay kare ke woh faqt oosi ka kaam karega bajuz is suurat ke jiska zikr sabeqa massle mein bayaan ho chuuka hai oos mazdoor ko kisi dusre shakhs ko batuar ijaara nahi de sakta. Agar woh ajeer aisi koi shart na lagaaye to oose dusre ki ijaara par de sakta hai. Laikin jo cheez dusre shakhs ke ijaare ke baabat le raha hai zaruri hai ke ooski qeemat ooske ijaare se zyaada na ho jo ajeer ke liye qaraar diay hai. isi tarah agar koi shakhs khud kisi ka ajeer ban jaaye aur kisi dusre shakhs ko woh kaam karne ke liye kam ujratt par rakhe to ooska bhi yahi hukm hai (ya’ni woh oose kam ujratt par nahi rakh sakta) Laikin agar oosne kaam ki kuch miqdaar khud anjaam di hai to phir dusre ko kam ujratt par rakha sakta hai.
2141. Agar koi shakhs makaan, dukaan, kashti ke alaawa koi aur cheez maslan zameen kiraaye par leaur zameen ka maalik oosse yeh shart na kare ke sirf whi ooska istefada kar sakta hai to agar jitney kiraaye par oosne woh cheez li hai oosse zyaada kiraaye par de to ijaare ke sahi hone mein ishkaal hai.
2142. Agar koi shakhs makan ya dukaan maslan ek saal ke liye 100 rupayye kiraye par le aur ooska aadha hissa khud istemaal kare to woh dasra hissa 100 rupayye kiraye par chada sakta hailaikin agar woh chahae ke makaan ya dukaan ka aadha hissa oose zyaad a kiraaye par chada de jis par oosne khud woh dukaan ya makaan kiraaye par li hai maslan 120 rupayye par kiraaye par de de to zaruri hai ke oosne oos mein marammat wagairah ka kaam karaya ho.

Kiraaye par diye jaane waale maal ki shara’et

2143. Jo maal ijaare par diya jaaye oonki chand shar’et hai:

(1)Woh maal mo’yyin ho. Lehaaza agar koi shakhs kahe ke main ne apne makaanaat mein se ek makaan timhe kiraaye par diya to yeh durust nahi hai

(2) Kiraaye par lene wala oos maal ko dekh le. Aur agar maal maujood na ho ya kulli ho to ijaare par dene wala pane maal ki khususiyaat kuch is tarah bayaan kare ke oose muttassir kar ke oose kiraaye par lene ke liye aamaada kar de.

(3) Ijaare par diye jaane waale maal ko dusre fareeq ke supurd karna mumkin ho lehaaza oos ghode ko ijaare pae dena jo bhaag gaya ho agar mustajir oosko na pakas sake to ijaara baatil hai aur agar oos ke liye mumkin ho ke pakad sake to ijaara sahi hai.

(4) Oos maal se istefada karna ooske khatm ya kal'adam ho jaane par mauqoof na ho lehaaza roti, phalo aur dusri khuurdani ashyaa ko khaane ke liye kiraaye par dena sahi nahi hai.

(5) Maal se fayeda uuthana mumkin ho jis ke liye kiraaye par diya jaaye. Lehaaza aisi zameen ka maal se woh faayeda oothaana mumkin ho jis ke liye oose kiraaye par diya jaye. Lehaaza aisi zameen ka zaraa'at ke liye kiraaye par dena jis ke liye baarish ka paani kaafi na ho aur woh neher ke paani se bhi seraab na hoti ho sahi nahi hai.

(6) Jo cheez kiraye par de ooska moonaafe ka maalik ho jis ke liye kiraaye par diya jaaa raha hai. Aur agar na ooska maailk ho aur na ooska vakilo hao aur na moontazim to mamla is suurat mein sahi hai ke jab oos maal ka maalik razamand ho.

2144. Jis darakht mein abhi phal na laga ho ooska is maqsad se kiraaye par dena ke iske phal se istefaada kiya jaayega durust hai. Aur isi tarah ek jaanwar ko ooske doodh ke liye kiraaye par dena ka bhi yahi hukm hai.

2145. Aurat is maqsad ke liye ajeer ban sakti hai ke ooske doodh se istefada kiya jaaye (ya'ni kisi dusre ke bacche ko ujratt pe doodh pila sakti hai) aur zaruri nahi hai ke woh oos maqsad se shohar se ijaazat le laikin agar kisi ke doodh pilaane se shohar ka haq talfi hoti ho phir ooski ijaazat ke baghair aurat ajeer nahi ban sakti.

Kiraaye par diye jaane waale maal se istefada ki shara'et

2146. Jis istefade ke liye maal kiraaye par diya jaata hai ooski 4 shartein hain

(1) (Istefada karna) halaal ho. Pas kisi maal ki moonfa'at sirf-e-haraam ho ya yeh shart rakhi jaaye ke haraam zariye se istefada kiya jaaye ya sauda karne se pahle haraam mamle ko mo'yyin kiya jaaye aur saude ki boonyaad isi par rakhi jaaye to yeh sauda baatil hai. Lehaaza dukaan ko sharaab bechne ya sharaab zakhira karne ke liye kiraaye par dena haiwaan ko sharaab ki naql aur hamal ke liye kiraaye par dena baatil hai.

(2) Woh amal sahra'et mein bila mu'afezaanjaam dena waajib na ho. Aur ehtayaat-e-waajib ki bina par isi qism ke kaamo mein se hai agar mehle ibteda hi halaal aur haraam ke massa'el ko seekhna aise hi haiba qade waajib murdo ki tajheez aur taqfeen karna aur ehtayaat-e-waajib ki bina par motabar yeh hai ke oos istefaade ke liye raqam dena logo ki nazaro mein fuzool na ho.

(3) Jo cheez agar kiraaaye par di jaaye agar woh kaseer fawa'ed (aur kaseer maqasid) ho to jo faayede oothaane ki mustajir ko ijaazat ho oose mo'yyin kiya jaaye. Maslan ek aisa jaanwar kiya jaaye jis par sawaari bhi ki jaa sakti ho aur maal bhi laada jaa sakta ho to oose kiraaye pe dete waqt yeh mo'yyin karna zaruri hai ke mustajir oose faqt sawaari ke liye ya faqt baar bardaari ke maqsad ke liye istemaal kar sakta hai ya oos se har tarah istefaada kar sakta hai.

(4) Istefada karne ki muddat ta taa'eeen kar liya jaaye aur yeh istefada muddat mo'yyin karke haasil kiya jaa sakta hai, maslan makaan ya dukaan kiraaye par dekar ya kaam aka taa'een kar ke haasil kiya jaa sakta hai,maslan darzi ke saath tay kiya jaaye ke woh ek mo'yyin libaas ek maqsoos design mein siyega.

2147. Agar ijaare ki inteda ka taa'een na kiya jaaye to osske shuru hone ka waqt ijaare ka muhaida karne ke ba'd se hoga.

2148. Misaal ke taur par agar makaan ek saal ke liye kiraaye pe diyaa jaaye aur muhaide ki ibteda ka waqt segha phadne se ek mahine ba'dse muqarrar kiya jaaye to ijaar sahi hai agarche jab segha padha jaa raha ho woh makaan kisi dusre ke paas kiraaye par ho.
2149. Agar ijaare ki muddat ka taa'een na kiya jaaye balkeh kiraayedaar se kaha jaaye jab tak tum is makaan mein rahoge 10 rupayye maahwaar kiraaya doge to ijaata sahi nahi hai.
2150. Agar maalik makaan, kairaaye daar se kahe ke mine tujhe yeh makaan 10 rupayye maahwaar par kiraaye pe de diya hai ya yah kahe ke maine tujhe yeh makaan ek mahine ke liye 10 rupayye kiraaye apr diya aur oosske ba'd tum jitni muddat is mein rahoge ooska kiraaya 10 rupayye mahaana hoga to is suurat mein jab ijaate ki mubteda ka ilm ho jaaye to pahle mahina ka ijaara sahi hai.
2151. Jis makaan mein musaafir aur za'er qayaam karte ho aur yeh ilm na ho ke woh kitni muddat tak wahan rahenge, agar woh maalik makaan se tay kar le ke maslan ek raat ka ek rupaya denge aur maalik makaan oos par raazi ho jaaye to makaan se istefada karne mein koi harj nahi hai laikin choonki ijaare ki muddat tay nahi ki gayi hai lehaaza pehli raat ke alaawa ijaara sahi nahi hai aur maalik makaan pehli raat ke ba'd jab bhi chaahe oonhein nikaaal sakta hai.

Kiraaye ke muttafarriq massa'el

2152. Jo maal mustajir ijaare ke taur par de raha ho zaruri hai ke woh maal m'aloom ho. Lehaaza agar aisi cheezein ho jinka len den taul kar kiya jaata hai massaln gehoon, to oonka wazan ma'loom hona zaruri hai. Aur agar aisi cheezein ho jinka len den gin kar kiya jaata ho maslan ra'ejul waqt siqqe zaruri hai ke oonki taa'dad mo'yyin ho. Aur agar woh cheezein ghode aur bhed ki tarah ho to zaruri hai ke kiraaya lene wala oohein dekh le ya mustajir oonki khususiyaat bata de.
2153. Agar zameen zarrat ke liye kiraaye par di jaaye aur ooski ujratt oosi ya dusri zameen ki paidawaar qaraar di jaaye jo ooos waqt maujood na ho ya kulli taur par koi cheez ooske zimme qaraar de is shart par ke woh oosi zameen ki paidawaar oose ada ki jaayegi to ijaara sahi nahi hai aur agar oos zameen ki paidawaar ijaara karte waqt maujood ho to phir koi harj nahi hai.
2154. Jis shakhs ne koi cheez kiraaye par di ho woh oos cheez ko kiraaye daar ki tehweel mein dene se pahle kiraaya maangne ka haq nahi rakhta neiz agar agar koi shakhs kisi kaam ke liye ajeer bana ho to jab tak woh kaam anjaam na de de oujratt ka muta'leba karne ka haq nahi rakhta. Magar b'az suurato mein maslan Hajjki ada'egi ke liye ajeer hjise amooman amal ki adayegi se pahle ujratt de di jaati hai (ujratt ka muta'leba karne ka haq rakhta hai).
2155. Agar koi shakhs kiraaye par di gayi cheez kiraayedaar ki tehweel mein de deto agarche kiraaye daar oos cheez par qabza na kare ya qabza haasil kar le laikin ijaara kahtm hone tak oosse faayeda na oothaaye phir bhi zaruri hai ke maalik jo ujratt ada kare.
2156. Agar ek shakhs koi kaam anjaan dene ke ek mo'yyin din liye ajeer ban jaaye aur oos din woh kaam karne ke liye tayyar ho jaaye to jis shakhs ne oose ajeer banaaya hai khawah woh oos din oss shakhs se kaam na le to zaruri hai ke ooski ujratt oose de de. Maslan ek darzi ko ek mo'yyin din libaaas seen eke liye ajeer banaaye aur darzi oos din kaam karne ke liye tayyar ho to agarche maalik oose seene ke liye kapda na de tab bhi zarurihai ke oose ooski mazdoori de de. Qata-e-nazar isse ke darzi bekaar raha ho ya apna ya kisi dusre ka kaam kiya ho.
2157. Agar ijaare ki muddat khatm ho jaane ke ba'd ma'loom ho ke ijaara baatil tha to mustajir ke liye aruri hai kea am taur par oos cheez ka jo kiraaya hota hai maal ke maalik ko de de. Maslan woh ek makaan 100 rupayye kiraaye par ek saal ke liye le aur oose pata chale ke ijaar baatil tha to agar ooska kiraaye aam taur par 200 rupayye ho to makaan kiraaye par dene wala maalik makaan ho ya ooska vakil mutaa'liq ho ke kiraaye muqarrar karne ka haq rakhta ho aura

am taur par jo ghar ke kiraaye ki jo sharah ho oose jaanta ho to zaruri nahi hai ke (mustajir) 200 rupayye de. neiz agar ijaare ki kuch muddat guzarne ke ba'd ma'loon ho ke ijaara baatil tha to jo muddat guzar chuki hai oospar bhi yahi hukm jaari hoga

2158. Jis cheez ko ijaare par liya gaya ho agar woh talf ho jaaye aur mustajir ne ooski nigaahdaasht mein kotaahi na barti ho aur oose ghalat taur par istemaal na kiya ho to (woh oos cheez ke talf hone ka) zimmedaar nahi hai. isi tarah misaal ke taur par agar darzi ko diya gaya kapda talf ho jaaye to agar darzi ne be ehteyaati na ki ho aur akpde ki nigaahdaasht mein bhi kotaahi na barti ho to woh zaamin nahi hai

2159. Jo cheez agar kisi darzi ya kaarigar kaam karne ke liye li ho aur agar woh oose zaaya karde to woh ooska zimmedaar hai.

2160. Agar kassaab kisi jaanwar ka sar kaat daale aur oose haraam kar de to khawah oosne mazdoori li ho ya bila mua'wze zabah kiya ho to zaruri hai ke jaanwar ki qeemat ooske maalik ko ada karde.

2161. Agar koi shakhs jaanwar ya cheez (maslan gaadi waghairah) kiraaye par le mo'yyin kar le ke kitna boj oospar laadega to agar woh oospar mo'yyin miqdaar se zyaada boj oospar laade aur oos wajah se jaanwar mar jaaye ya woh cheez (gaadi waghairah) aibdaar ho jaaye to mustajir zimmedaar hai. Neiz agar oohone bojh ki miqdaar mo'yyin na ki ho aur ma'mool se zyaada bohj jaanwar par lade (aur jaanwar mar jaaye ya woh cheez aibdaar ho jaaye) tab bhi mustajir zimedaar hai. Aur dono suurato mein ke liye zaruri hai ke ma'mool se zyaada ujratt ada kare.

2162. Agar koi shakhs haiwaan ko aisa (naazuk) saamaan kiraaye par laadne ke liye de jo tootne wala ho aur jaanwar phisal jaaye ya bhaagh khada ho aur saamaan ko tod phod de to jaanwar ka maalik zimmedaar nahi hai. Haan! agar maalik jaanwar ko ma'mool se zyaada mare ya aisi harqat kare jis ki wajah se jaanwar gir jaaye aur lada hua samaan tod de to maalik zimmedaar hai.

2163. Agar koi shakhs bacche ka khatna kare ya apne kaam mein kotaahi kare maslanagar oosne ma'mool se zyaada (chamda) kaata ho aur woh baccha mar jaaye ya oos mein koi nuqs paida ho jaaye to woh zimmedaar hai aur agar oosne kotaahi ya ghali na ki ho aur baccha khatna karne se hi mar jaaye ya oos mein koi aib paida ho jaaye chunanche is baat ki tashkhees ke liye khatna karna bacche ke liye nuksaan deh haiya nahi ooski taraf ruju na kiya gaya ho neiz woh bhi yeh na jaanta ho ke bacche ko nuksan hoga to iis suuurat emin woh zimmedaar nahi hai.

2164. Agar mua'lij apne kisi mareez ko apne haath se dawa de ya ooske liye dawa tayyar karne ko kahe aur dawa khaane ki wajah se mareez ko nuksaan phouche ya woh mar jaaye to mua'lij zimeedaar hai agarche oosne ilaaj karne mein kotaahi naki ho.

2165. Jab mua'liz mareez se keh de ke agar tumhe koi zar pohouche to main zimmedaar nahi hoon aur pooro tawajjo aur ehtayaat se kaam le ooske bawajood agar mareez ko zar phouche ya woh mar jaaye to mua'lij zimmedaar nahi hai.

2166. Kiraaye par lene wala aur jis shakhs ne koi cheez kiraye par di ho, woh ek dusre ki razamandi se m'amla fasq kar sakte hain. Aur agar iraade mein yeh shart aayed kare ke woh dono ya oon mein koi ek maamle ko fasq karne ka haq rakht hai to muhaide ke mutabiq m'amla fasq kar sakte hai.

2167. Agar maal ijaare par denewaale ya mustajir ko pata chale ke woh ghaate mein raha hai to agar ijaara karne kewaqt woh oos amr ki jaanib mutaawajjeh na tha ke woh ghaate mein hai to ooski tafseel jo massla no. 2083 mein guzar chuki hai ijaara fasq kar sakta hai. Laikin agar ijaare ke muhaide mein yeh shart aayed ki jaaye ke agar oon mein se koi ghaate mein bhi rahegato oosko ijaara fasq karne ka haq nahi hoga to phir woh ijaara fasq nahi sakta.

2168. Agar ek shakhs koi cheez ijaare pe de aur iis se pahle ke ooska qabza mustajir ko de koi aur shakhs oos cheez ko ghasb kar le to mustajir ijaare ko fasq kar sakta hai aur jo cheez oosne ijaaare par denewaale ko di ho oose waapas kar sakta hai. Ya (ya yeh bhi kar sakta hai ke) ijaara fasq na kare aur jitni muddat woh cheez ghaasib ke paas rahi ho ooski aam taur par jitni ujrat bane woh ghaasib se le le. Lehaaza agar mustajir ek haiwaan ka ek mahine ka ijaara 10 rupayye ke aewaz kare aur koi shakhs oos haiwaan ko 10 din ke liye ghasb karle aura am taur par oos ka 10 doon ka ijaara 15 rupayye ho to mustajiir 15 rupayye ghaasib se le sakta hai.
2169. Agar koi dasra shakhs mustajir ko ijaara karda cheez apne tehweel mein na lene de ya tehweel mein lene ke ba'd oospar na'jaez qabza kar le ya os se iistefada karne mein ha'el ho to mustajir ijaara fsaq nahi kar sakta aur sirf yeh haq rakhtaa hai ke oos cheez ka aam taur par jitna kiraya banta ho woh sab ghaasib se le le.
2170. Agar ijaare ki muddat khatm hone se pahle maalik apna maal mustajir ke haath bech dale to ijaara fasq nahi hota. Aur kiraayedaar ko chahiye ke oos cheez ka kiraya maalik ko de aur agar (maalik mustajir ke a'lawa) oos (maal) ko kisi aur shakhs kehaathbech de tab bhi yahi hukm hai.
2171. Agar ijaare ki muddat shuru hone se pahle jo cheez ijaare par li hai woh oos iistefade ke qaabil na rahe jiska ta'een kiya gaya tha to ijaara baatil ho jaata hai. Aur mustajir ada karda raqm maalik se waapas le sakta hai. Agar suurat yeh ho ke oos cheez se thoda iistefada kiya jaa sakta ho to mustajir ijaara fasq kar sakta hai.
2172. Ek shakhs koi cheeez ijaare pe le aur woh kuch muddat guzarne ke ba'd jo iistefada mustajir ke liye tay kiya gaya hoooske qaabil na rahe to baaqi maanda muddat ke liye ijaara baatil ho jaata hai. Agar mustajir guzri hui muddat ka ijaara "ujratul miisal" (ya'ni jitne din woh cheez iist'emaal ki ho ootne dino ki aam ujrat) dekar ijaara fasq kar sakta hai.
2173. Agar koi shakhs aiisa makaan kiraaye par de jiske maslan do kamre ho aur oon mein se ek kamra toot phoot jaaye laikin ijaara par dene wala oos kamre ko (marammat kare)iis tarah bana de jis tarah sabeqa kamre ke muqable kafi farq ho to ooska wahi hukm hai jo iiske pahle waale massle mein bataya gaya hai. Aur agar iis tarah na ho balke ijaare par dene wala oose fauran bana de aur oosse iistefada karne mein thodi sib hi takheer na ho to ijaara baatil nahi hota. Aur kiraaaye daar bhi ijaare ko fasq nahi kar sakta. Laikin agar kamre ki marammat mein qadr rahe takheer ho jaaye aur kiraaye daar oosse na iistefada kar paaye to oos "taakheer" ki muddat tak ka ijaara baatil ho jaata hai aur kiraaye daar chaahe to saari muddat ka ijaara bhi fasq kar sakta hai albatta jitni muddat oosne kamre se iistefada kiya hai ooski ujratul msl de de.
2174. Agar kiraaye par dene wala ya mustajir mar jaaye to ijaara baatil nahi hota laikin agar makaan ka faida sirf ooski zindagi mein hi ooska ho maslan kisi dusre shakhs ne wasiyat ki ho ke jab tak (ijaare par dene wala) zinda hai makaan ki aamdani ooska maal hogato agar woh makaan kiraaye par de de aur ijaare ki mudat khatm hone se pahle woh mar jaaye to ooske marne ke waqt se ijaara baatil hai. Aur agar maujooda maalik oos ijaare ki tasdeeq kar de to ijaara sahi hai. Aur ijaare par dene waale ki maut ke ba'd ijaare ki jo muddat baaqi hogi ooski ujrat oos shakhs ko milegi jo maujooda maalik ho.
2175. Agar koi shakhs kisi m'amaar ko ko iis maqsad se vakeel bana de ke woh ooske liye kaarigar muhaiyya kare to agar m'amaar jo kuch oos shakhs se le liya hai kaarigaro ko kam de to zaayed maal oospar haraam hai aur ooske liye woh raqam oos shakhs ko waapas kar de. Laikin agar m'amaarajeer ban jaaye aur imaarat ko muqammal ka dega aur woh apne liye yeh ikhtayaar haasil karle ke khud banaaye gaya dusre se banwayega to iis suurat mein ke kuch kaam khud kare aur baaqi maanda dasro se oos ujrat se kam par kiraaye jis par khud ajeer bana hai to zaayed raqam ooske liye halaal hogi.

2176. Agar rangrez waada kare ke maslan kapda neel se range ga to agar woh neel ke bajaaye kisi aur chez se rang de to ooski ujrat lne ka koi haq nahi hai.

Ja'ala ke Ehkaam

2177. "Ja'ala"se muraad yeh hai ke insaan waada kare ke agar ek kaam ooske liyeanjaam diya jaayega to woh ooske badle kuch maal (bataure inaam) dega maslan yeh kahe ke jo ooski gumshuda cheez bar'aamad karega woh oos 10 rupayye (ina'am) dega to jo shakhs oos raqam ka waada kare ooose "jaa'il"aur jo shakhs woh kaam ko anjaam de oose "a'amil"kehte hain. Ijaare aur ja'aale mein b'az lehaaz se farq hai. Oon mein se ek yeh hai ke ijaare mein segha padhne ke ba'd ajeer ke liye zaruri hai ke kaam anjaam de aur jisne oose ajeer banaya ho woh ujrat ke liye oos ka maqruz ho jaata hai. Laikin ja'aale mein agarche a'amil ek mia'yyin shakhs hota hai ta'ham ho sakta hai ke woh kaam mein masshghool na ho. Pas jabtak woh kaam anjaam na de, Ja'il ooska maqruz nahi hota

2178. Ja'il ke liye zaruri hai ke woh baaligh aur a'aqil ho aur inaam ka waada apne iraade aur ikhtayaar se kare aur shar'an apne maal mein tasarruf kar sakta ho. Isii bina par safiya. Jo apna maal fuzool kaamo mein sirf karta ho. Ja'ela sahi nahi hai aur bilkul isii tarah diwaliya shakhs ka ja'ela oon amwaal mein sahi nahi hai jin mein tasarruf ka haq nahi rakhtaa.

2179. Ja'il jo kaam logo se karaana chaahta hai zaruri hai ke woh haraam ya be faida na ho aur na hi oon waajibaat mein se ho jinka bila mu'afeza baj'a laana shar'an laazim ho. Lehaaza agar koi shakhs kahe ke jo koi shakhs sharaab piyega ya raat ke waqt kisi aaqelaana maqsad ke bagahir ek tareek jagah par jaayega ya waajib namaaz padhega main oose 10 rupayye donga to ja'ela sahi nahi hai.

2180. Jis maal ke baare mein muhaida kiya jaa raha ho zaruri nahi hai ke ooski poori khususiyaat ka zikr kar mo'yyin kiya jaaye. Balke agar suurate haal yeh ho ke kaam karne waale ko yeh maloom ho oos kaam ko anjaam dene ke liye aqdaam karna jam'aat shumaar na hoga to kaafi hai. Maslan agar ja'el yeh kahe ke agar tumne iis maal ko 10 rupayye se zyaada qeemat par becha to izaafi raqam tumhaari hogi ti ja'ela sahi hai. Aur isii tarah ja'el kahe ke jo koi mera ghoda doondh kar layega oose ghode mein niisf shirkat ya 10 man gehoon doonga to bhi ja'ela sahi hai.

2181. Agar kaam ki ujrat muqamaal taur par mabham hai maslan ja'il yeh kahe jo mera baccha talaash karega main oose raqam doonga laikin raqam ki miqdaar ka ta'een na kare to agar koi shakhs oos kaam ko anjaam de to zaruri hai ke ja'il oose ootni ujrat de jinti aam logo ki nazro mein a'amil ki oojart qarrar paa sake.

2182. Agar a'amil ne ja'il ke qaul-o-qarrar de pahle hi woh kaam kar diya ho ya qaul-o-qarrar ke ba'd iis niyyat se woh kaam anjaam de ke badle mein raqam nahi lega to phir woh ujrat ka haqdaar nahi.

2183. Iisse pahle ke a'amil kaam shuru kare ja'il ja'ala ko mansookh kar sakta hai.

2184. Jab a'amil na kaam shuru kar diys ho agar ooske ba'd ja'il ja'ala mansookh karna chahe to oos mein iishkaal hai. Magar yeh ke a'amil bhi raazi ho.

2185. A'amil kaam ko adhoora chod sakta hai. Laikin agar kaaam adhoora chodne par ja'il ko ya jis shakhs ke liye yeh kaam anjaam diya jaa raha hai koi nuqsaan pohochta ho to zaruri hai ke woh kaam muqammal kare. Maslan agar koi shakhs kahe jo koi meri aankh ka ilaaj kar de main oose iis qadr mua'veza doonga aur doctor ooski aakh ka operation kar de aur suurat yeh ho ke ilaaj muqammal na kare to aankh mein aib paida ho jaaye to zaruri hai ke apna operation taqmeel tak pohoonchaaye.

2186. Agar a'amil kaam adhoora chod de to kisi cheez ka mutaleba nahi kar sakta. Agar ja'il ujrat ko kaam muqammal karne se masshroot kar de maslan yeh keh de ke koi mera libaas siyega to mein oose 10 rupayye donga laikin agar ooski muraad yeh ho ke jitna kaam kiya jaaye ga ootni hi ujrat dega to phir ja'il ko chahiye ke jitna kaam hua ho ootni oojtar a'amil ko de.

Muzaare'a ke Ehkaam

2187. Muzaare'a se mraad yeh hai ke(zameen ka)maalik kaashtaar (muzaare'a) se muhaida kare ke apni zameen oos ke ikhtayaar mein se take take woh ooski kaashtkaari kare aur paidawaar ka kuch hiissa maalik ko de.

2188. Muzaare'a ki kuch shartein hain:

(1) Do ashkhaas ke darmiyaan yeh muhaida aur ahad-o-paymaan ho maslan zameen ka maalik kaashtakaar se kahe ke maine zameen tumhe kheti baadi ke liye di hai aur kaashtkaar bhi kahe mein yeh qabool kiya hai ya baghair iis ke zabaani kuch kahe maalik kaashtkaar ko kheti baadi ke iraade se zameen de de aur kaashtkaar qabool kar le.

(2) Zameen ka malik aur kaashtkaar dono baaligh aur a'aqil ho aur bataayi ka mauhaida apne iraade aur ikhtayaar se kare aur safiya. Jo apna maal fuzool kaamo mein kharch karte hon ya na ho. Isii tarah zaruri hai ke maalik diwaalia na ho. Laikin agar kaashtkaar diwaalia ho aur ooska muzaare'a karna oon amwaal mein tasarruf na kaha jaaye jin mein oose tasarruf karna maaane tha to aisii suurat mein koi iishkaal nahi hai.

(3) Maalik aur kaashtkaar mein se har ek ko zameen ki paidawaar mein se aadha hiissa ya teesra hiissa waghairah le le. Lehaaza agar koi bhi apne liye hiissa muqarrar na kare maslan maalik kahe ke zameen mein kheti baadi karo jo tumhara ji chahe mujhe de dena to yeh durust nahi hai aur isii tarah agar paidawaar ki ek mua'yin miqdaar maslan 10 man ka kaashtkaar ya maalik ke liye muqarrar kar di jaye to yeh bhi sahi hai.

(4) Jitni mudaat ke liye zameen kaashtkaar ke qabze mein rehni chahiye oose mo'yyin karde aur zaruri hai ke owh muddat itni ho ke oos muddat mein paidawaar haasil hona mumkin ho. Aur agar muddat ki ibteda ek makhsoos din se aur muddat ka ikhtetaam paidawaar milne ko muqarar kar de to kaafi hai.

(5) Zameen kaabil-e-kasht ho. Agar oos mein abhi kasht karna mumkin na ho laikin aiisa kaam kiya jaa sakta ho jisse kaasht mumkin ho jaaye to muzaare'a sahi hai.

(6) Kaastkaar jo cheez kaasht karna chahta hai, zaruri hai ke oosko mo'yyin kar diys jaaye. Maslan mo'yyin kar le ke chaawal hai ya gehoon hain, aur agar chaawal hai to kaoon si kiism ka chaawal hai. Laikin agar kisi makhsoos cheez ki kaasht pesh-e-nazar na ho to ooska mo'yyin karna zaruri nahi hai. Isii tarah gar koi makhsoos cheez pesh-e-nazar ho aur ooska ilm ho to laazim nahi hai keke ooski wazaahat bhi kare.

(7) Maalik zameen ko mo'yyin kar de. Yeh shart iis suurat mein hai jab ke maalik ke paas zameen ke chand Qata'at ke lawazim kaastkaari mein farq ho. Laikin agar oon mein koi farq na ho to zamen ko mo'yyin karna laazim nahi hai. Lehaaza agar maalik kaastkaar se kahe ke zameen ke oon qata'at mein se kisi ek mein kheti baadi karo aur oos qa'ta ko mo'yyin na kare to muzaare'a sahi hai. Aur muhaide ke ba'd zameen ki taa'een karna maalik ka haq hai.

(8) Jo kharch oon mein se har ek ko karna zaruri ho jaiise beej, kaasht, awazim, kaasht kaari waghairah oose mo'yyin kar de laikin jo kharch har ek ko karna zaruri ho agar ooska rasmi taur par ilm ho to phir ooski wazaahat karna laazim nahi.

2189. Agar maalik kaaastkaar se tay kare ke paidawaar ki kuch miqdaar ek ki hogi aur jo baaqi bachega oose woh aapas mein taqseem kar lengeto muzaare'a baatil hai agarche oonhein ilmho ke oos miqdar ko alehda karne ke ba'd kuch na kuch baaqi bach jayega. Haan! agar woh aapas mein tay kar le ke beej ki jo miqdaar kaasht ki gayi haiya tax ki jo miqdar hukumat leti hai woh paidawaar se nikali jaaye gi aur jo baaqi bachega oose dono ke darmiyaan taqseem kiya jaayega to muzaare'a sahi hai.

2190. Agar muzaare'a ke liye koi muddat mu'ayyin ki ho ke jis mein amuman paidawaar dast-e-aab ho jaati hai laikin agar ittefaqan muddat khatm ho jaaye aur paidawaar dast-e-aab na hui ho to agar muddat mo'yyin karte waqt yeh baat bhi sha'amil thi ya'nidono iis baat pe raazi the kemuddat khatm hone ke ba'd agar paidawaar dasteaaab na hui to muzaare'a khatm ho jaayegato iis suurat emin agar maalik iis baat pe razi ho k eke ujrat ya baghair ujrat fasl zameen mein khadi kare aur kaashtkaar bhi raazi ho to koi harj nahi hai. Aur agar maalik raazi na ho to kaashtkaar ko majboor kar sakta heke fasl zameen mein se kaat le aur agar fasal kaatne mein agar kaastkaar ko koi nuqsaan pohoonche to laazim nahi hai ke maalik oose ooska aewaz de. Laikin agarche kaastkaar maalik ko koi cheez dene par raazi ho tab bhi woh maalik ko majboor nahi kar sakta ke woh fasl apni zameen par rehne de.

2191. Agar koi aisii suurat pesh aa jaaye ke zameen mein kheti karna mumkin na ho malan zameen ka paani band ho jaaye to muzaare'a khatm ho jaata hai. Aur agar kaashtkaar bina wajah agar kheti na kare to agar zameen ooske tasarruf mein hi rahi ho aur aur maalik ka oos mein koi tasarruf na raha ho to zaruri hai kea am shar'a ke hiisaab se oos muddat ka kiraaye maalik ko de.

2192. Zameen ka maalik aur kaashtkaar ek dusre ki razamandi ke baghair muzaare'a (ka muhaida) mansookh nahi kar sakte. Laikin agar muzaare'a ke muhaide mein oonhone ne shart tay ki ho ke oon mein se dono ya kisi ek ko mamla fasq karne ka haq haasil hoga to jo muhaida oonhone kar rakha hai oos ke mutabiq m'amla fasq kar sakte hain. Isii tarah agar oon dono mein se kisi ek fareeq tay shuda shart ke khilaaf amal kare to dasra fareeq mamla fasq kar sakta hai.

2193. Agar muzaare'a ke muahaide ke ba'd maalik ya kaashtkaar mar jaaye to muzaare'a manshook nahi ho jaata, balke oonke waariis oonki jagaha le lete hain. Laikin agar kaashtkaar mar jaaye aur agar oonhone muzaare'a mein yeh shart rakhi thi ke kaashtkaar khud kaasht karega to muzaare'a mansookh ho jaata hai. Laikin jo kaam oske zime the woh muqqamal ho gaye ho to iis suurat mein muazaa're mansookh nahi hota aur ooska hiissa ooske warse ko dena zaruri hai. Jo dusre haquqo ka kaastkaar ko haasil ho woh bhi woh bhi ooske wirsa ko meeraas mein mil jaate hain aur warsa maalik ko iis baat par majboor kar sakte hain ke muzaare'a khatm hone tak fasl oss ki zameen mein khadi rahe.

2194. Agar kaasht ke ba'd pata chale ke muzaare'a baatil tha to agar jo beej dala gaya ho woh maalik ka maal ho to jo fasl haath aayego woh bhi oosi ka maal hogi aur zaruri hai ke kaashtkaar kiujrat aur jo kuch oosne kharch kiya ho aur kaashtkaar ke mamluqe jin baaliyo aur jaaanwaro ne zameen par kaam kiya ho oonka kiraaya kashtkaar ko de. Agar beej kaashtkaar ka ho to fasl bhi oosi ka maal hai aur zaruri hai ke zameen ka kiraaya aur jo kuch bhi maalik ne kharch kiya ho aur oonke bailo aur dusre jaanwaro ka kiraaya jo maalik ka maal ho aur jin ho ne oos za'ra'at par kaam kiya ho maalik ko de. Aur dono suuraton mein aam taur se jo haq banta hai agar ooski miqdar tay shuda miqdar se zyaada ho aur dusre ne fareeq ko ooska ilm ho to zyaada miqdar dena waajib nahi.

2195. Agar beej kaastkaar ka maal ho aur kasht ke ba'd fareeqeen ko pata chale muzaare'a baatil tha to agar maalik aur kaashtkaar razamand ho ke ujrat ya bila ujrat fasl zameen pe khadi rahe to koi iishkaal nahi. Aur agar maalik raazi na ho to ehteyaat-e-waajib ki bina par fasl pakne se pahle woh kaashtkaar ko majbooor na kare ke woh oose kaat le aur isii tarah maalik kaashtakaar ko majboor nahi kar sakta ke woh kiraaya deaur fasl ko apni zameen mein baaqi rehne de. Isii tarah jabke zameen ka kiraaye bhi oose talab na kare.

2196. Agar khet ki paidawaar jamaa karne aur muzaare'a ki miyaad khatm hone ke ba'd khet ki jadein zameen mein reh jaye aur dusre saal dobara sar sabza ho jaye aur paidawaar de to agar maalik ne kaashtkaar ke saath za'ra'at ki jado mein iisteraak ka muhaida na kiya ho to dusre saal ki paidawaar aur beej ke maalik ka maal hai.

Massaaqaat aur Mugharesa ke Ehkaam

2197. Agar insaan kisi ke saath iis qiism ka muhaida kare maslan phal daar darakhto ko jin ka phal khud oos ka maal ho ya oos ka phal par ppska ikhtayaar ho ek muqarra'a waqt ke liye kisi dusre shakhs ke supurd kar de taale woh oonki nigaahdaasht kare aur oonhein paani de aur jitni miqdaar aapas mein tay kare ooske mutabiq woh oon darakhto ka phal le leto aiisa m'amle"Massaaqaat"(Aabyaari) kehlaata hai.

2198. Jo darakht phal nahi dete aur agar oonko koi dusri paidawaar ho patte aur phool ho ke jo kuch na kuch miqiyat rakhtae ho, maslan mehendi aur (paan) ke darakht ke oos ke patte kaam aate hain,oonke liye massaaqaat ka m'amla sahi hai.

2199. Massaaqaat ke mamle mein segha padhna laazim nahi hai balki agar darakht ka maalik massaaqaat ki niyyat se oose kisi ke supurd kare aur jis shakhs ko kaam karna ho woh bhi oosi niyyat se kaam mein masshghool ho jaaye to m'amla sahi hai.

2200. Darakhto ka maalik aur jo shakhs darakhto ki nagaah daasht ka zimma le zaruri hai ke dono baligh aur a'aqil ho aur kisi ne oonhein m'amla karne par majboor na kiya ho neiz yeh bhi zaruri eke safiya na ho ya'ni apna maal fuzool kaamo mein kharch na karte ho. Isii tarah zaruri hai ke maalik diwaaliya na ho. Laikin agar baaghbaan diwaaliya ho aur massafat ka m'amla karne ki suurat mein oon amwaaal mein tasarruf karna laazim na aaye jin mein tassaruf karne se oose roka gaya ho to koi iishkaal nahi hai.

2201. Massaaqaat ki muddat mo'yyin hona chahiye aur itni muddat hona zaruri hai ke jis mein paidawaar dast-e-aab hona mumkin ho. Agar fareqeen in muddat ki ibteda mo'yyin kar de aur ooska ikhtetaam oos waqt ko qarrar de jab ooski paidawaar dast-e-aab ho to m'amla sahi hai.

2202. Zaruri hai ke har fareeq ka hiisa aadha ya ek teehayi ya isii ke maanind ho aur agar yeh muhaida kare ke maslan 100 man maiwa maalik ka aur baaqi kaam karne waale ka hoga to m'amla baatil hai.

2203. Laazim nahi hai ke massaaqaat ka m'amla paidawaar zaahir hone se pahle tay kar le. Balke agar paidawaar hone ke ba'd m'amla kare aur kuch kaam baaqi reh jaaye jo ki paidawaar mein izaafe ke liye ya ooski behtari ya oose nuqsaan se bachaane ke liye zaruri hai to m'amla sahi hai. Laikin agar iis tarah ka agar koi kaam baaaqi na raha ho, balke aiise kaam jo darakht ke parwariish ke liye zaruri hai ya mewa todne ya ooski hifaazat jaiise kam baaqi reh gaye hon to phir massaaqaat ke m'amle ka sahi hona mehl-e-iishkaal hai.

2204. Kharbooze, kheero aur in jaisii dusri belo ke baare massaaqaat ka m'amla bina bar izhaar sahi hai.

2205. Jo darakht baariish ke paani ya zameen ki nami se iistefada karta ho aur jise aabyaaari ki zarurat na ho oose maslan dusre aiise kaamo ki zarurat hi jo massla no. 2203 mein bayaan ho chuke hai to oon kaamo ke baare mein massaaqaat ka m'amla sahi hai.

2206. Do afraad jinhone massaaqaat ki ho bahami razamandi se m'amle ko fasq kar sakte hai aur agar massaaqaat ke muhaide ke silsile mein yeh tay kare ke oon dono ko ya oon mein se kisi iak ko m'amla fasq karne ka haq hoga to oonke tay karda muhaide ke mutabbiq m'amla fasq karne mein koi iishkaal nahi . Aur agar massaaqaat ke m'amle mein koi shart tay kare aur oos shart par amal na ho to jis shakhs ne qa'ede ke liye woh shart tay ki gayi ho woh m'amle ko fasq kar sakta hai.
2207. Agar maalik mar jaaye to massaaqaat ka m'amla fasq nahi hota balki ooske waariis ooski jagah paate hain.
2208. Darakhto ki parwariish jis shakhs ke supurd ki gayi ho agar woh mar jaaye aur muhaide mein yeh qaid ya shart aayed na ki gayi ho ke woh khud darakhto ki parwariish karega to ooske wars ooski jagah le sakte hain aur agar warsa na khud darakhto ki parwariish ka kaam anjaam de na na oosi maqsad ke liye kisi ko ajeer muqrrar kare to Haakim-e-shar'a marne waale ke maal se kisi ko ajeer muqarrar kar dega aur agar fareqeen ne m'amle mein yeh qiad lagaayi ke owh shakhs khud darakhto ki parwariish karega to ooske marne ke ba'd m'amla fasq ho jaaye ga.
2209. Agar yeh shart tay ki jaaye ke tamaam paidawaar maalik ka maal hogi to massaaqaat baatil hai. Laikin aisii suurat mein paidawaar maalik ka maal hogi aur jis shakhs ne kaam kiya ho woh ujrat ka mutaleba nahi kar sakta. Laikin agar massaaqaat kisi aur wajah se batil ho to zaruri hai k eke maalik aabyaari aur dusre kaamo ki ujrat darakhto ki nigaahdaasht karne waale ko ma'mool ke mutabiq de. Laikin agar ma'mool ke mutabiq ujrat tay shuda ujrat se zyaada ho to woh ooske muta'lea ho to tay shuda ujrat se zyaada dena laazim nahi
2210. "Mugharesa" yeh hai ke koi shakhs zameen dusre ke supurd kare take woh darakht laage aur oose jo kuch bhi haasil ho to dono ka maal ho to yeh m'amla sahi hai agarche ehteyaat yeh hai ke aiise m'amle ko tarq kare. Laikin agar oos m'amle ke natije par pohoonchne ke liye koi aur m'amla anjaam de to baghair iishkaal ke woh m'amla sahi hai. Maslan fareqeen kisi tarah baham sulah aur ittefaaq kar le ya naye darakht lagaane mein shareeq ho jaaye phir baaghbaan apni khidmat maalik zameen ko beej bone, darakhto ki nigaahdaast aur aabyaari karne ke liye ek mo'yyin muddat tak zameen ki paidawaar ke niisf qa'ede ke a'waz kiraaye par pesh kare.

Woh ashkhaas jo apne maal mein tasarruf nahi karte

2211. Jo baccha baaligh na ho woh apni zimmedaari aur apne maal mein shar'an tasarruf nahi kar sakta agarche acche aur bure ko samajhne mein hade kamaal tak pohoonch gaya ho aur sarparast ka pahle se ijaazat dena oos baare mein koi faida nahi rakhtaa aur ba'd mein ijaazat dena bhi mehl-e-iishkaal ha. Laikin chand cheezon mein bacche ka tasarruf karna sahi hai, oon mein se kam qeemat wali cheezo ki khareed farokht karna hai jise massla no2041 mein guzar chuuka hai. Isii tarah bacche ke apne khooni riishtedaaro aur kurbati riishtedaaro ke liye wasiyat karna jis ka bayaan massla no. 2655 mein aayega. Ladki mein baaligh hone ki a'laamat yeh hai ke woh 9 qamri saal poore kar le aur ladke ke baaligh hone ki alaamat 3 cheezon mein se ek hoti hai

(1) Naaf ke neeche aur shargaah se uupar sakht baalo ka uugna.
(2) Mani ka khaarij hona.
(3) Bar bina masshoor uumr ke 15 qamri saal poore hona.

2212. Chehre par aur hoto ke uupar sakht baalo ka oogna ba'eed nahi hai ki balughat ki alaamat ho laikin seene par baghal mein baalo ka oogna aur awaaz ka bhaari ho jaana aisii hi dusri alaamaat balughiyat ki niisahhniyaa nahi hain.
2213. Deewana apne maal mein tassaruf nahi kar sakta. Isii tarah diwaliya. Woh shakhs jise ooske karz khawoh ke mutalbe par Haakim-e-shar'a ne apne maal mein tasarruf karne se mana

kar diya ho. Karz khwahon ki ijaazat ke baghair oos maal mein tassarruf nahi kar sakta aur isii tarah safiya. ya'ni ji shakhs apna maal ahmakaana aur fuzool kaamo mein kharch karta hai ho. Sarparast ke ijaazat ke baghair apne maal mein tassarruf nahi kar sakta .
2214. Jo shakhs kabhi a'aqil aur kahbhi deewana ho jaaye ooska deewaangi ki haalat mein apne maal mein tasarruf karna sahi nahi hai.
2215. Insaan ko ikhtayaar hai ke marz-ul-maut ke a'alam mein apne aap par ya apne ahl-o-ayaal ya mehmaano par aur oon kaamo par jo fuzool kharchi mein shumaar na ho jitna chahe khrch kar sakta hai. Agar apne maal ko oosi ki (asl) qeemat par farokht kare ya kiraaye par de to koi iishkaal nahi hai. Laikin agar apna maalkisi ko baksh de ya ra'ez qeemat se sata farokht kare to jitni miqdar oosne baksh di hai ya jitni sasti farokht ki hai agar woh ooske maal ke ek teeha'yi ke barabar hai ya oossekam ho to oos mein tassarruf karna sahi hai. Agar ek teeha'yi se zyaada ho to warsa izzat na de to ek teeha'yi se zyaada mein ooska tassarruf baatil hai.

Vakaalat ke Ehkaam

"Vakaalat"se muraad yeh hai muhaida karne ya m'amla karne ya ooon jaiise kisi kaam ko maslan "tehweel mein dena" aur "tehweel mein lena" jo insaan khud karne ka haq rakhtaa ho oose dusre ke supurd kar de take woh ooski taraf se kaam anjaam de. Maslan kisi ko apna vakeel banaaye taaki woh ooska makaan bech de ya kisi aurat se ooska aqd kara de. Lehaaza safiya kyoonki apne maal mein tassarruf karne ka haq nahi rakhtaa hai woh makaan bechne ke liye vakeel nahi bana sakta.
2216. Vakaalat mein segha padhna laazim nahi hai balke agar insaan dusre insaan ko samjha de ke oos ne oose vakeel muqarrar kiya hai aur wh bhi samhja de ke oosne vakeel banna qabool kiya hai maslan ek shakhs apna maal dusre ko de take woh oose apni taraf se bech de aur dasra shakhs woh maal le le to vakaalat sahi hai.
2217. Agar insaan ek aiise shakhs ko vakeel muqarrar kar jiski rihaayiish kisi dusre shaher mein ho aur oosko wakaalat nama bhej de aur woh wakaal nama qubool kar le to agarche woh vakaalat nama oose kuch arse ba'd hi mile phir bhi vakaalat sahi hai.
2218. Muwakkil ya'ni woh shakhs jo dusre ko vakeel banaye aur woh shakhs jo vakeel bane zaruri hai ke dono baligh aur a'aqil ho aur (vakeel banaane aur vakeel banne ka) aqdaame qasad aur ikhtayaar se kare aur muwakkil ke ma'amle mein bulugh bhi mo'atbar hai. Magar oon kaamo mein jin ko mamayyez bacche ka anjaam dena sahi hai. (oon mein bulugh ki shart nahi hai)
2219. Jo kaam insaan anjaam na de sakta ho ya shar'an dena zaruri na ho oose anjaam dene ke liye woh dusre ka vakeel nahi ban sakta. Maslan jo shakhs Hajj ka ehraam baandh chuuka ho choonki oose nikaah ka segha nahi padhna chahe oos liye woh segha-e-nikaah padhne ke liye dusre ka vakeel nahi ban sakta.
2220. Agar koi shakhs apne tamaam kaam anjaam dene ke liye dusre shakhs ko vakeel banaye to sahi hai laikin agar apne kaamo mein se ek kaam karne ke liye dusre ko vakeel banaye aur kaam ka ta'een na kare to wakaalat sahi nahin hai,. Han! Agar vakeel ko chand kaamo mein se ek kaam jis ka woh khud intekhaab kare anjaam den eke liye vakeel banaye maslan oos ko vakeel banaye keh ya oos ka ghar farokht kare ya kiraaye par de to wakaalat sahi hai.
2221. Agar (mawakkil) vakeel ko m'azool kar de y'ani jo kaam oos ke zimme lagaya ho oos se bartaraf kar de to vakeel apni m'azooli ki khabar mil jaane ke b'ad oos kaam ko (mawakkil ki janib se) anjaam nahin de sakta laikin m'azooli ki khabar milne se pahle oos new o kaam kar diya ho to sahi hai.
2222. Mawakkil khawah maujood na ho vakeel khud ko wakaalat se kinara kashi kar sakta hai.

2223. Jo kaam vakeel ke supurd kiya gaya ho, oos kaam ke liye woh kisi dusre shakhs ko vakeel muqarrar nahin kar sakta laikin agar mawakkil ne oose ijaazat de ho keh kisi ko vakeel muqarrar kare to jis tarah oos ne hukm diya hai oosi tarah woh a'mal kar sakta hai lehaaza agar oos ne kaha ho keh mere liye ek vakeel muqarrar karo to zaruri hai keh oos ki taraf se vakeel muqarrar kare laikin az khud kisi ko vakeel muqarrar nahin kar sakta.
2224. Agar vakeel mawakkil ki ijaazat se kisi ko oos ki taraf se vakeel muqarrar kare to pahle vakeel dusre vakeel ko m'azool nahin kar sakta aur agar pahla vakeel mar jaaye ya mawakkil oose m'azool kar de tab bhi dusre vakeel ki wakaalat batil nahin hoti.
2225. Agar vakeel mawakkil kio ijaazat se kisi ko khud apni taraf se vakeel muqarrar kare to mawakkil aur pahla vakeel oos vakeel ko m'azool kar sakte hain aur agar pahle vakeel mar jaaye ya m'azool ho jaaye to dusri wakaalat batil ho jaati hai.
2226. Agar (mawakkil) kisi kaam ke liye chand askhaas ko vakeel muqarrar kare aur oos ki ijaazat di ho keh oon mein se har ek zaati taur par oos kaam ko kare to oon mein se har ek kaam ko anjaam de sakta hai aur agar oon mein se ek mar jaaye to dasron ki wakaalat batil nahin hoti laikin agar yeh kaha ho keh sab mil kar anjaam den ya bataur talaaq kaha ho keh tum dono mere vakeel ho to oon mein se koi tanha oos kaam ko anjaam de sakta hai aur agar oon mein se ek mar jaaye to baaqi askhaas ki wakaalat batil ho jaati hai.
2227. Agar vakeel ya mawaakil mar jaaye to wakaalat batil ho jaati hai. Neiz jis cheez mein tasarruf ke liye kisi shakhs ko vakeel muqarrar kiya jaaye agar woh cheez talf ho jaaye maslan jis bhed ko bechne ke liye ksisi ko vakeel muqarrar kiya gaya ho aur woh bhed mar jaaye to wakaalat batil ho jaayegi aur isii tarah agar vakeel ya mawakkil mein se koi ek hamesha ke liye diwaana ho jaaye to wakaalat batil ho jaayegi. Laikin agar kabhi kabhi diwaangi ya behawasi ka padta ho to woh wakaalat ka batil hona diwangi aur behawasi ki muddat mein hatta keh diwaangi aur behawasi na hone ki haalat mein bhi mehal ishkaal hai.
2228. Agar insaan kisi ko apne kaam ke liye vakeel muqqarar kare aur oose koi cheez dena tay kare tokaam ki takmeel ke b'ad zaruri hai keh jis cheez ka dena tay kiya ho woh oose de de.
2229. Jo maal vakeel ke ikhtayaatr mein ho agar woh oos ki tanghadasht mein kotaahi na kare aur jis tasarruf ki oose ijaazat di gayee ho oos ke a'lawa koi tasarruf oos mein na kare aur ittefaqan woh maal talf ho jaaye to oos ka zaamin nahin hai.
2230. Jo maal vakeel ke ikhtayaatr mein ho agar woh oos ki tanghadasht mein kotaahi na kare aur jis tasarruf ki oose ijaazat di gayee ho oos ke a'lawa koi tasarruf oos mein na kare aur ittefaqan woh maal talf ho jaaye to woh (vakeel) zimmedaar hai. Lehaaza jis lebaas ke liye oose kaha jaaye keh oose bech do agar woh oose pehan le aur woh lebaas talf ho jaaye to zaruri hai keh oos ka a'uz de.
2231. Agar vakeel ko maal mein jis tasarruf ki oose ijaazat di gayee ho oos ke a'lawa koi tasarruf maslan oose jis lebaas ko bechne ke liye kaha jaaye woh oose pehan le aur b'ad mein woh tasarruf kare jis ki oose ijaazat di gayee ho to woh tasarruf sahi hai.

Qarz ke Ehkaam

2232. Momenoon ko khasusan oon zaruratmando ko qarz dena mustahab kaamo mein se hai jis ke baare mein ahadees m'asoomeen mein zayada takeed ki gayee hai. Hazoor akram sallallaho alaihe wa a'lehi wassallam ne farmaya: "Jo shakhs kisi momin bahyee ko qarz de aur oose waapas karne ki isteta'at tak mohlat de to aise shakhs ke maal mein izaafa hota hai aur farishte oos par durud bhejhte hain yahan tak keh woh apna qarz waapas le le". Hazrat Imam ja'fer Sadiq a'laih salaam se manqool hai keh "Ek momin kisi duusre momin ko baqasd qurbat qarz de de to Allah ta'ala oos ko sadqa ka ajr a'ta karta hai yahan tak keh woh apna qarz waapas le le".

2233. Qarz mein segha padhna laazim nahin balkeh agar ek shakhs dusre ko koi cheez qarz ki niyyat se de aur dasra bhi oosi niyyat se le to qarz sahi hai.
2234. Jab bhi maqruz apna qarza ada kare to qarz khawah ko chahiye keh oose qabool kar le. Laikin agar qarz ada karne ke liye qarz khawah ke kahne se ya dono ke kahne se ek muddat muqarrar ho to oos suurat mein qarz khawah oos muddat ke kkhatm hone se pahle apna qarz ki waapas lene se inkaar kar sakta hai.
2235. agar qarz ke seghe mein qarz ki waapasi ki muddat mo'yyin kar di jaaye aur muddat ka t'aeen maqruz ki darkhwast par ho ya janbeen ki darkhawast par, qarz khawah ki darkhawast par hua ho ya qarze ki waapasi ke liye koi muddat mo'yyin na ki gayee ho to qarz jkhawah jab bhi chaahe apne qarz ki adayegi ka mutaleba kar sakta hai.
2236. Agar qarz khawah apne qarz ki adaayegi ka mutaleba kare aur adaayegi ka vaqt muaqarrar na kiya ho ya vaqt poora ho chuuka ho to agar maqruz qarz adaa kar sakta ho to oose chahiye keh fauran ada kar de aur agar adaayegi mein takheer kare to goonaahgaar hai.
2237. Agar maqruz ke paas ek ghar keh jis mein woh rahta ho aur ghar ke asbaab aur oon lauazmat keh jin ki oose zarurat ho aur oon ke baghair oose pareshaani ho aur koi cheez na ho to qarz khawah oos se qarz ki adaayegi ka mutaleba nahin kar sakta balkeh oose chahiye keh sabr kare hatta keh maqruz qarz ada karne ke qabil ho jaaye.
2238. Jo shakhs maqruz ho aur apna qarz ada na kar sakta ho to agar oos ke liye kaam karna asaan ho ya oos ka peshaa hi kaam kaaj karna ho to waajib hai keh kaam kaaj kare aur apna qarz ada kare. Balkeh oos ke a'lawa suurat mein bhi keh woh shakhs aisaa kaam kaaj kar sakta ho jo oos ke shayaan shaan ho ehtayaat-e-waajib yeh hai keh kaam kaaj kar ke qarz ada kare.
2239. Jis shakhs ko apna qarz khawah na mil sake mustaqbil mein oos key a oos ke waaris ke milne ki umeed bhi na ho to zaruri hai keh woh qarze ka maal khawah ki taraf se faqeer ko de de aur ehtayaat-e-waajib ki bina par aisa karne ki ijaazat haakim shar'a se le le> Aur agar maqruz ko qarz khawah ya oo ke waaris ke milne ki umeed ho to zaruri hai keh intezaar kare aur oos ko talaash kare aur agar woh na mile to wasiyat kar de keh agar main mar jaoon ayr qarz khawah ya ooa ka waaris mil jaaye to meraa qarz mere maal se ada kiya jaaye.
2240. Agar koi shakhs kuchh raqam ya gandum ya jaw ya iin jaisii cheezein qarz mein le le jin ki qimat badhti ghatti rahti hain to oose chahiye keh itnii hi miqdaar jo oos ne li hai aur aisii hi pasandida safaat kamala waapas de to kaafi hai. Laikin agar maqruz aur qarz khawah oon khusuusuyaat ke baghair bhi raazi hon to koi ishkal nahin aur agar jo cheez qarz mein li thhi oon cheezon mein se thhi jo aimatan bechii jaati hain jaise bakri waghairah to zaruri hai keh jis din qarz liya thha oosi vaqt ki qimat adaa kare.
2241. Kisi shakhs ne jo maal qarz liya ho agar woh talf na hua ho aur maal ka maalik oos ka mutalebaa kare to zaruri hai keh maqruz wahi maal de de. Agar maqruz denaa chaahe to qarzkhawah chaahe to qabool nahin kar sakta.
2242. Agar qarz dene wala shart a'yed kare keh woh jitni miqdaar mein maal de raha hai oos se zayada waapas legaa maslan ek man gehoon de aur shart a'yed kare keh ek man paanch kilo waapas loonga ya das ande de aur kahe keh gayarah ande waapas loonga to yeh suud aur haraam hai. Balkeh agar tay kare keh maqruz oos ke liye koi kaam karga ya jo cheez li ho woh kisi dusri jins ki kuchh miqdaar ke sathh waapas karega maslan tay kare keh (maqruz ne) jo ek ruppaya liya hai waapas karte vaqt oos ke sathh machis ki ek dibiya bhi de to yeh suud hoga aur haraam hai. Neiz agar maqruz ke sathh shart kare keh jo cheez woh qarz le raha hai oose ek makhsuus tariqe se waapas karega maslan oon ghade sone ki kuchh miqdaar oose de aur shart kare keh ghada hua sonaa waapas lega tab bhi yeh suud aur haraam hoga. Albatta agar qarz khawah koi

shart nalagaye balkeh maqruz khud qarze ki miqdaar oose kuchh zayada waapas de to koi ishkaal nahin.
2243. (Qarz par) suud dena suud lene ki tarah haraam hai albatta qaz sahi hai. Jo shakhs suud par qarz le woh oos ka maalik ho jata hai. Albatta qarz dene wala suud ka maalik nahin hota. Aur oos ka ist'maal klarna haraam hai aur agar oos suud se koi cheez khareede to woh oos ka maalik nahin hota. Aur agar iis tarah m'amla hua ho keh suud ka m'ahaida bhi na kiya ho qarz lene wala raazi ho keh qarz dene wala oos raqam ko ist'maal kar le to oos ka ist'maal karna jayez hai. Aur isii tarah agae maslan m'aloom na hone ki wajah se suud le aur massla m'aloom ho jaane par taubaa kar le to oos suurat mein zamana jahaalat mein jo suud oos ne liya thha oos ke liye halaal hai.
2244. Agar koi shakhs gehoon ya oos jaisii koi cheez suudi qarze ke taur par le aur oos ke zariye kasht kare to woh paidaawar ka maalik ho jata hai.
2245. Agar ek shakhs koi lebaas khareede aur b'ad mein oos ki qimat kapde ke maalik ko suudi raqam se de ya aisii halaal raqam se jo suudi ke sathh makhluut ho gayee ho ada kare to oos lebaas ka maalik ban jata hai aur oos lebaas ke pehanne ya oos ke sathh namaaz padhne mein koi ishkaal nahin. Laikin agar bechne waale se kahe keh main yeh lebaas oos raqam se khareed raha hoon to oos lebaas ka maalik nahin hai aur oos ka pehanna haraam hai.
2246. Agar koi shakhs kisi taajir ko kuchh raqam de aur dusre shahar mein oos taajir se raqam le to oos mein koi ishkaal nahin aur oose "surf baraat" kahte hain.
2247. Agar koi shakhs kisi ko koi cheez iis shart par keh dusre shahar mein oos se zayada lega jabkeh woh cheez sona ya chaandi ho ya gandum ya jaw jaise taul kar ya naap kar becha jata ho, to yeh suud aur haraam hai. Han! Jo shakhs zayada le raha ho agar woh izaafe ke muqaable mein koi cheez de ya koi kaam kar de to phir ishkaal nahin. Taaham a'am ra'ej note agar qarze ke taur par diye jayen yo zayada lena jayez nahin. Han! Agar note ko becha jaaye chaahe naqd ya uudhaar jabkeh oos ki raqam qarze ke taur par do jinso mein ho jaise ek dinaar ho aur dasra rupayya to izzafa lene mein koi ishkaal nahin. Lakin agar uudhaar ho aur ek hi jins hio to izzafa lene mein ishkaal hai.
2248. Agar kisi shakhs ne kisi se kuchh qarz lena ho aur woh cheez naapi ya tauli jaane waali jins na ho to woh shakhs oos cheez ko maqruz ya kisi aur ke paas kam qimat ppar bech kar oos ki qimat naqd wasuul sakta hai. Isii bina par maujooda daur mein jo check uar handiyan qarz khawah maqruz se leta hai oonhein woh bank ke paas kisi dusre shakhs ke paas iis se kam qimat par jise a'am taur par bha'o girna kahte hain. Bech sakta hai aur baqqi raqam naqd le sakta hai.

Hawalah dene ke Ehkaam

2249. Agar koi shakhs apne qarz khawah ko hawala de keh woh apna qarz ek aur shakhs se le le aur qarz khawah oos ko qabool kar le to jab "hawalaa" oon shara'et ke sathh jin ka zikr b'ad mein aayegaa mikammil ho jaaye to oos shaakhs ke naam hawala doiya gaya hai woh maqruz ho jaayega aur iis ke b'ad qarz khawah pahle maqruz se apne qarz ka mutaleba nahin kar sakta.
2250. Maqruz aur qarz khawah aur jis shakhs ka hawala diya jaa sakta ho zaruri hai keh sab baaligh aur a'aqil hon aur kisi ne oonhein majboor na kiya ho neiz zaruri hai keh safia na hon y'ani apna maal ehmakana aur fazuul kaamon mein kharch na karte hon aur yeh bhi m'otbar hai keh maqruz aur qarz khawah diwaaliya na hon. Han! Agar hawala aise shakhs ke naam ho jo pahle se hawala dene waale ka maqruz na ho agarche hawala dene wala diwaaliya bhi ho to koi ishkaal nahin hai.
2251. Hawala ke tamaam mauq'on par hawala diye jaane waale shakhs ka qabool karna zaruri hai chaahe maqruz ho ya na ho.

2252. Insaan jab hawala de to zaruri hai keh woh oos vaqt maqruz ho lehaaza agar woh kisi se qarz lena chahta ho to jab tak oos se qarz na le le oose kisi ke naam ka hawala nahin de sakta takeh jo qarz oose b'ad mein dena ho woh oos shakhs se le le.
2253. Hawala ki jins aur miqdaar fi al waq'e mo'yyin hona zaruri hai. Pas agar hawala dene wala kisi shakhs ka das man gehoon aur das rupayye ka maqruz ho aur qarz khawah ko hawala dkeh oon dono qarzon mein se koi ek falan shakhs se le lo aur oos qarze ko mo'yyin na kare to hawala durust nahin hai.
2254. Agar qarz waq'ee mo'yyin ho laikin hawala den eke vaqt maqruz aur qarz khawah ko oos ki miqdaar ya jins ka ilm na ho to hawala sahi hai maslan agar kisi shakhs ne dusre ka qarza register mein likhaa ho aur register dekhne se pahle hawala de de aur b'ad mein ragester dekhe aur qarz khawah ko qarze ki miqdaar bata de to hawala sahi hoga.
2255. Qarz khawah ko ikhtayaar hai keh hawala qabool na kare agarche jis ke naam ka hawala diya jaaye woh daulat mand ho aur hawala ada karne mein kotaahi bhi na kare.
2256. Jo shakhs hawala dene waale ka maqruz na ho agar hawala qabool kare to azhar yeh ahi keh ghawala ada karne se pahle hawala dene waale se hawaale ki miqdaar ka mutaleba kar sakta hai. Magar yeh keh jo qarz jis ke naam hawala diya gaya hai oos ki muddat mo'yyin ho aur abhi woh muddat khatm na huyee ho to oos suurat mein woh muddat khatm hone se pahle hawaale dene waale se hawaale ki miqdaar ka mutaleba nahin kar sakta agarche oos ne adaayegii kar di ho. Aur isii tarah agar qarz kahwah apne qarz se thhodi miqdaar par oos shakhs se jis ka hawala diya gaya hai sulah kar le to woh hawala dene waale se faqt uutni (thodi) miqdaar ka hi mutaleba kar sakta hai.
2257. Hawaale hone ke b'ad hawala dene wala aur jis ke naam hawala diya jaaye hawala mansuukh nahin kar sakta. Aur woh shakhs jis ke naam ka hawala diya gaya hai hawaakeke vaqt faqeer na ho to agarche woh b'ad mein faqeer ho jaaye tab bhi qarz khawah hawaale ko mansuukh nahin kar sakta. Yahi hukm oos vaqt hai jab (woh shakhs jis ke naam ka hawala diya gaya ho) hawala den eke vaqt faqeer ho aur qarz khawah jaanta ho keh woh faqeer hai. Laikin agar qarz khawah ko ilm na ho keh woh faqeer hai aur b'ad mein oose pata chale keh agar oos vaqt woh shakhs maaldaar na hua ho qarz khawah hawala mansuukh kar ke apna qarz hawala dene waale se le sakta hai. Laikin agar woh maaldaar ho gaya ho to m'amle ko faskh karne ka haq rakhne mein ishkaal hai.
2258. Agar maqruz aur qarz khawah aur jis ke naam ka hawala diya gaya ho ya oon mein se kisi ek ne apne haq mein hawala mansuukh karne ki shart rakhi ho to shart ke mutabiq hawala mansuukh kar skate hain.
2259. Agar hawala dene wala qarz khawah ka qarza khud ada kare to agarche yeh kaam oos shakhs ki khawahish par hus ho jis ke naam ka hawala dioya gaya ho jabkeh woh hawala dene waale ka maqruz ho to hawala dene waale ne jo kuchh diya ho oos se le sakta hai aur agar oos ki khawahish ke baghair ada kiya ho ya woh hawala dahinda ka maqruz na ho to phir oos ne jo kuchh diya hai oos ka mutaleba oos se nahin kar sakta.

Rehan ke Ehkaam

2260. Rehan yeh hai keh insaan qarz ke badle ya zaamin ban kar apna maal kisi ke paas girwi rakhwaaye keh agar rehan rakhwaane wala qarza na lauta sake ya rehan na chudwaa sake to rehan lene wala shakhs oos ka a'uz oos maal se le sake.
2261. Rehan mein segha padhna laazim nahin hai balkeh itna kaafi hai keh girwi dene wala apna maal girwi rakhne ki niyyat se girwi lene waale ko de de aur woh oosi niyyat se le le to rehan sahi hai.

2262. Zaruri hai keh girwi rakhwaane wala aur girwi rakhne wala baaligh aur a'aqil hon aur kisi ne oonhein oos m'amle ke liye majboor na kiya ho aur yeh bhi zaruri hai keh maal girwi rakhwaane wala diwaaliya ya safia na ho. Diwaaliya aur safia ke ma'me massla 2213 mein bayaan kiye ja chuuke hain. Aur agar diwaaliya ho laikin jo maal woh girwi rakhwaaye oos ka apna maal na ho ya oon amwaal mein se na ho jis ke tasarruf karne se man'a kiya gaya ho to koi ishkaal nahin hai.
2263. Insaan woh maal girwi rakh sakta hai jis mein woh shar'an tasarruf kar sakta ho aur agar kisi dusre ka maal oos ki ijaazat se girwi rakh de to bhi sahi hai.
2264. Jis cheez ko girwi rakha ja raha ho to zaruri hai keh oos ki khareed o farokht sahi ho. Lehaaza agar sharaab ya oos jaisii cheez girwi rakhi jaaye to durust nahin hai.
2265. Jis cheez ko girwi rakha ja raha ho oos se jo faida hoga woh oos cheez ke maalik ki malkiyat hoga khawah woh girwi rakhwaane wala ho ya koi dasra shakhs ho.
2266. Girwi rakhne waale ne jo maal bataur girwi liya ho oos maal ko oos ke maalik ki ijaazat ke baghair maalik khawah girwi rakhwaane wala ho ya koi dasra shakhs na woh kisi dusre ko woh maal bakhsh nahin sakta hai na kisi ko bech sakta hai. Laikin agar (woh oos maal ko kisi ko bakhsh de ya farokht kar de aur) maalik b'ad mein ijaazat de to koi ishkaal nahin hai
2267. Girwi rakhne wala oos maal ko jo oos ne bataur girwi liya ho oos ke maalik ki ijaazat ke baghair bech de to maal ki tarah oos ki qimat girwi nahin hogi aur yahi hukm hai agar maalik ki ijaazat ke baghair bech de aur maalik b'ad mein ijaazat de (y'ani oos maal ki jo qimat wasool ki jaaye woh oos maal ki tarah giwi nahin hogi). Laikin agar girwi rakhwaane wala oos cheez ko girwi rakhne waale ki ijaazat se bech de takeh oos ki qimat ko girwi qarrar de to zaruri hai keh girwi rakhne waale ki ijaazat se bech de aur oos ki mukhaalfat karne ki suurat mein m'amla batil hai. Magar yeh keh girwi rakhne wala oos ki ijaazat de de (to phir m'amla sahi hai)
2268. Jis vaqt maqruz ko qarz ada kar dena chaahe agar qarz khawah oos vaqt mutaleba kare aur maqruz adaayegi na kare to oos suurat mein jabkeh qarz khawah maal ko farokht kar ke apna qarza oos ke maal se wasool karne ka ikhtayaar rakhta ho woh girwi liye huye maal ko farokht kar ke apna qarza wasool sakta hai. Agar ikhtayaar na rakhta ho to oos ke liye laazom hai keh maqruz se ijaazat le aur agar oos tak pohoonch na ho to ehtayaat-e-waajib ki bina par zaruri hai keh haakim shar'a se (oos maal ko bech kar oos ki qimat se apna qarza wasool karne ki) ijaazat le aur dono suuraton mein agar qarze se zayada qimat wasool ho to zaruri hai keh za'ed maal maqruz ko de de.
2269. Agar maqruz ke paas oos makaan ke a'lawa jis mein woh rahta ho aur oos saamaan ke a'lawa jis ki oose zarurat ho aur koi cheez na ho to qarz khawah oos se apne qarz ka mutaleba nahin kar sakta. Laikin mqaruz ne jo maal bataur girwi diya ho agarche woh makaan aur saamaan hi kyoon na ho qarz khawah guzishta massle mein bataye gaye tariqe ke mutabiq oose bech kar apna qarz wasool sakta hai.

Zaamin hone ke Ehkaam

2270. Agar koi shakhs kisi dusre ka qarza ada karne ke liye zaamin banna chaahe to oos ka zaamin banna oos vaqt sahi hoga jab woh kisi lafz se agarche woh a'rbi mein na ho ya kisi a'mal se qarz khawah ko samjha de keh main tumhaare qarz ki adaayegi ke liye zaamin ban gaya ho aur qarz khawah bhi apni razamandi ka izhaar kar de aur (iis silsile mein) maqruz ka razamand hona shart nahin hai aur oos ki do suuratein hain:

1. Zaamin qarze ko maqruz ke zimme se hata kar apne zimme le. Agar oos ki adaayegi se pahle mar jaaye to dusre qarzon ki tarah wiraasat mein sab se pahle oose ada kiya jaayega. A'am taur par lafz zamaan se fuqha ki muraad yahi hai.

2. Zaamin paaband ho jaaye keh woh qarza ada karega laikin oos ke zimme se dusri taraf moontaqil nahin hota. Agar woh wasiyat na kare to oos ki maut ke b'ad oos ke maal mein se ada nahin kiya ja sakta.

2271. Zaamin aur qarz khawah dono ke liye zaruri hai keh baaligh hon aur a'aqil hon aur kisi ne oonhein iis m'amle par majboor na kiya ho neiz zaruri hai khe woh safia bhi na hon aur isii tarah zaruri hai keh qarz khawah diwaaliya na ho, laikin yeh shara'et maqruz ke liye nahin hain. Maslan agar koi shakhs bachche, deewaane ya safia ka qarz ada karne ke liye zaamin bane to zamaanat sahi hai.

2272. Jab koi zaamin banne ke liye koi shart rakhe maslan yeh kahe keh: agar maqruz tumhara qarz ada na kare sakega to main tumhara qarz ada karoonga" to massla 2270 mein bayaan pahli suurat ke mutabiq oos ke zaamin hone mein ishkaal hai albatta 2270 mein bayaan dusri suurat mein ishkaal nahin.

2273. Insaan jis shakhs ke qarz ki zamaanat de raha hai zaruri hai keh woh maqruz ho. Lehaza agar koi shakhs kisi dusre shakhs se qarz lena chahta ho to jab tak woh qarz na le le oos vaqt tak koi shakhs oos ka zaamin nahin ban sakta. Aur yeh shart "zamaan" mein dusri suurat ke mutabiq nahin hai.

2274. Insaan oosi suurat mein zaamin ban sakta hai keh jab qarz khawah, maqruz aur qarz shuda cheez sab fi al waq'e mo'yyin hon. Lehaaza agar do ashkhaas kisi ek shakhs ke qarz khawah hon aur insaan kahe keh main zaamin hoon keh tum mein se ek ka qarz ada karoonga to chukeh oos ne mo'yyin nahin kiya keh woh oos mein se kisi ka qarz ada karega iis liye oos ka zaamin banna batil hai. Neiz agar kisi ko do ashkhaas se qarz wasool karna ho aur koi shakhs kahe keh main zaamin hoon keh oon do mein se ek ka qarz tumhe ada karoonga to choonakeh oos ne m'oeen nahin kiye keh dono mein se kis ks qarza ada karega iis liye oos ka zaamin banna batil ho jata hai. Isii tarah agar kisi ne ek dusre shakhs se misaal ke taur par das man gehoon aur das rupayye lene hon aur koi shakhs kahe keh main tumhare dono qarzon mein se ek ki adaayegi ka zaamin hoon aur oos cheez ko mo'yyin na kare keh woh gehoon ke liye zaamin hai ya rupayyon ke liye to yeh zamaanat sahi nahin hai.

2275. Agar koi shakhs maqruz ki ijaazat ke baghair zaamin ban jaaye keh oos ka qarz ada kare to (b'ad mein) maqruz se koi cheez nahin le sakta.

2276. Agar koi shakhs kisi ka qarza ada karne ke liye oos ki ijaazat se zaamin ban jaaye to jitni miqdaar ka zaamin bana hai oos ko ada krne se pahle bhi qarzdaar se oos ka mutaleba kar sakta hai. Lehaaza oos cheez ke bajaye dusri cheez qarz khawah ko de to dusri cheez ka mutaleba nahin kar sakta. Maslan das man gandum ka maqruz thha aur zaamin das man chaawal de to maqruz se chawal ka mutaleba nahin kar sakta. Agar maqruz khud chaawal dene par raazi ho to koi ishkaal nahin hai.

2277. Agar qarz khawah apna qarz zaamin ko ma'af kar de to zaamin maqruz se koi cheez talab nahin kar sakta aur agar kuchh miqdaar ma'af ki hai to itni miqdaar maqruz se talab nahin kar sakta. Laikin agar qarz ya oos ki kuchh miqdaar oose hiba kar de yak hums ya zakaat ya sadqaat waghairah ki mad mein de de to zaamin maqruz se woh cheez le sakta hai.

2278. Agar koi kisi ka zaamin bane keh oos ka qarz ada karega to apne zaamin banne se phir nahin sakta.

2279. Ehtayaat-e-waajib ki bina par zaamin aur qarz khawah yeh shart nahin kar sakte keh jis vaqt chaahe zamaanat mansuukh kar dein.

2280. Agar insaan zaamin banne ke vaqt qarz khawah ka qarza ada karne ke qaabil ho to khawah b'ad mein diwaaliya ho jaaye qarz khawah oos ke zamaanat mansuukh kar ke pahle maqruz se qarz ki addayegi ka mutaleba nahin kar sakta. Aur isii tarah agar zamaanat dete vaqt

zaamin qarz ada karne par qaadir na ho laikin qarz khawah yeh baat jante huye oos ke zaamin banne par raazi ho jaaye tab bhi yahi hukm hai.

2281. Agar insaan zaamin banne ke vaqt qarz khawah ka qarza ada karne par qaadir na ho aur qarz kahwah suurat haal se lailm hone ki bina par oos ki zamaanat mansuukh karna chaahe to oos mein ishkaal hai khasusan oos suurat mein jabkeh qarz khawah ke oos amr ki jaanib mutaqajja hone se pahle a\zaamin qarze ki adaayegi par qaadir ho jaaye.

Kafaliyat ke Ehkaam

2282. "Kafaliyat" se muraad yeh keh koi shakhs zimma le keh jis vaqt qarz khawa chaahega woh maqruz ko oos ke surd kar dega. Jo shakhs iis qism ki zimmedaari qabool kare oose kafeel kahte hain.

2283. Kafaliyat oos vaqt sahi hai jab kafeel kisi alfaaz mein khawah a'rbi zabaan ke na bhi hon ya kisi a'ml se qarz khawah ko yeh baat samjha de keh main ne zimma leta hoon keh jis vaqt tum chaaho mein maqruz hone ke hawaale karoonga aur qarz khawah bhi iis baat ko qabool kar le aur ehtayaat-e-waajib ki bina par kafaliyat kea hi hone ke liye maqruz ki razamandi bhi m'otbar hai. Balkeh ehtayaat-e-waajib yeh hai keh kafaliyat ke m'amle mein isii tarah maqruz ko bhi ek fareeq hona chahiye y'ani maqruz aur qarz khawah dono kafaliyat ko qabool kare.

2284. Kafeel ke liye zaruri hai keh baaligh aur a'aqil ho aur oose kafeel banne par majboor na kiya gaya ho aur woh iis baat par qaadir ho keh jis ka kafeel bane oose haazir kar sake aur isii tarah oos suurat mein jab maqruz ko haazir karne ke liye kafeel ko apna maal kharch karna pade to zaruri hai keh woh safia aur diwaaliya na ho.

2285. Iin paanch cheezon mein se koi ek kafaliyat ko kala'dum kar detii hai:

1. Kafeel maqruz ko qarz khawah ke hawaale kar de ya woh khud apne aap ko qarz khawah ke hawaale kar de.
2. Qarz khawah ka qarza ada kar diya jaaye.
3. Qarz khawah apne qarze se dastbar daar ho jaaye. Ya oose kisi dusre ke hawaale kar de.
4. Maqruz ya kafeel mein se ek mar jaaye.
5. Qarz khawah kafeel ko kafaliyat se bari ul zimma qarrar de de.

2286. Agar koi shakhs maqruz ko qarz khawah se zabardasti azaad kara de aur qarz khawah ki pohinch maqruz tak na ho sake to jis shakhs ne maqruz ko azaad karaya ho zaruri hai keh woh maqruz ko qarz ke hawaale kar de ya oos ka qarz ada kare.

Amaanat ke Ehkaam

2287. Agar ek shakhs koi maal kisi ko de aur kahe keh yeh tumhare paas amaanat rahega aur woh bhi qabool kare ya koi lafz kahe baghair maal ka maalik oos shakhs ko samjhaa de keh woh oose maal rakhwaali ke liye de raha hai aur woh bhi rakhwaali le maqsad se le le to zaruri hai keh wadi'at wa amaanat ke oon ehkaam ke mutaabiq a'ml kare jo b'ad mein bayaan honge.

2288. Zaruri hai keh amaanatdaar aur woh shakhs jo maal bataur amaanat de dono baaligh aur a'aqil hon aur kisi ne oonhein majboor na kiya ho. Lehaaza agar koi shakhs kisi maal ko deewaane ya bachche ke paas amaanat ke taur par rakhe ya deewaana ya bachcha koi maal kisi ke paas amaanat ke taur par rakhe to sahi nahin hai. Han! Samajhdaar bachcha kisi dusre ke maal ko oos ki ijaazat se kisi ke paas amaanat rakhe to jayez hai. Isii tarah zaruri hai keh amaanat rakhwaane wala safia aur diwaaliya na ho. Laikin agar diwaaliya ho, taham jo maal oos ne amaanat ke taur par rakaya ho woh oos maal mein se na ho jis mein oose tasaruuf karne se man'a kiya gaya hai to oos suurat mein koi ishkaal nahin hai. Neiz yeh bhi zaruri hai keh amaanatdaar

safia ya diwaaliya na ho, yeh oos suurat mein hai keh amaanat ki hifaazat aur tanghedasht se oos ka maal iis tarah kharch ho keh maal ke oos ki malkiyat se nikalne ya za'e hone ka maujab ho.

2289. Agar koi shakhs bachche se koi cheez oos ke maalik ki ijaazat ke baghair bataur amaanat qabool kar le to zaruri hai keh woh cheez oos ke maalik ko de de. Aur agar woh cheez khud bachche ka maal ho to laazim hai keh woh cheez bachche ke sarparst tak pohoonchaa de. Aur agar woh maal oon logon ke paas pohoonchane se pahle talf ho jaaye to zaruri hai keh oos ka a'uz de. Magae iis dad se keh Khuda na khawasta talf ho jaaye oos maal ko bachche se oos ke sarparast tak pohoonchaane ki niyyat se liya ho to oos suurat mein agar oos ne maal ki hifaazat karne aur oose maalik tak pohoonchane mein kotaahi na ki ho aur najayez tasarruf bhi na kiya ho to woh zaamin nahin hai. Aur agar amaanat ke taur par maal dene wala deewaana ho tab bhi yahi hukm hai.

2290. Jo shakhs amaanat ki hifaazat na kar sakta ho agar amaanat rakhwaane wala oos ki iis haalat se bakhabar na ho to zaruri hai keh woh shakhs amaanat qabool na kare. Aur agar qabool kar le aur za'e ho jaaye to zaamin hai.

2291. Agar insaan saahebe maal ko samjhaye keh woh oos ke maal ki hifaazat ke liye tayyar nahin aur oos maal ko amaanat ke taur par qabool na kare aur saahebe maal phir bhi maal chod kar chala jaaye aur woh maal talf ho jaaye to jis shakhs ne amaanat qabool na ki ho woh zimme daar nahin hai. Laikin ehtayaat-e-mustahab yeh hai agar mumkin ho to oos maal ki hifaazat kare.

2292. Jo shakhs kisi ke paas koi cheez bataur amaanat rakwaye woh amaanat ko jis vaqt chahe mansuukh kar sakta hai aur isii tarah amen bhi jab chaahe oose mansuukh kar sakta hai.

2293. Agar koi shakhs amaanat ki tanhadasht tark kar de aur amaanat daari mansuukh kar de to zaruri hai keh jis qadr jald ho sake maal oos ke maalik ke vakeel ya sarparast ko pohooncha de ya oonhein itla' kar de kwh woh maal ki (mazeed) tanghedasht ke liye tayyar nahin hai aur agar woh baghair a'zr ke maal oon tak puhoonchaye ya itla' na de aur maal talf ho jaaye to zaruri hai keh oos ka a'uz de.

2294. Jo shakhs amaanat qabool kare agar oos ke paas se rakhne ke liye moonasib jagah na ho to zaruri hai keh oos ke liye moonasib jagah haasil kare aur amaanat ki iis tarah tnaghedasht kare keh log yeh na kahen keh oos ne tanghedasht mein kotaahi ki hai aur agar woh oos kaam mein kotaahi kare aur amaanat talf ho jaaye to zaruri hai keh oos ka a'uz de.

2295. Jo shakhs amaanat qabool kare agar woh oos ki tanghedasht mein kotaahi na kare aur na hi t'adi y'ani najayez tasarruf. Kare aur ittefaqan woh maal talf ho jaaye to woh shakhs zimmedaar nahin hai. Laikin agar woh oos maal ki hifaazat mein kotaahi kare maslan maal ko aisii jagah rakhe jahan woh aisaa ghair mahfuuz ho keh agar koi zaalim khabar paaye to le jaaye ya woh oos maal mein taadi kare (maal ki ijaazat ke baghair oos maal mein tasarruf kare) maslan lebaas ko iste'maal kare ya jaanwar par sawaari kare aur woh talf ho jaaye to zaruri hai keh oos ka a'uz oos ke maalik ko de.

2296. Agar maal ka maalik apne maal ki tanghedasht ke liye koi jagah mo'yyin kar de aur jis shakhs ne amaanat qabool ki ho oos se kahe keh: "tumhe chahiye keh yahin maal ka khayaal rakho aur agar oos ke za'e ho jaane ka ehtemaal ho tab bhi tum oos ko kaheen aur na le jana" to amaanat qabool karne wala oose kisi aur jagah nahin le ja sakta aur agar woh maal ko kisi dusri jagah le jaaye aur woh talf ho jaaye to (amen) zimmedaar hai. Laikin agar amen ko yaqeen ho keh oos jagah maal za'e ho jaayega to jayez hai keh oos suurat mein oose mahfuuz jagah moontaqil kar de.

2297. Agar maal ka maalik apne maal ki tanghedasht ke liye koi jagah mo'yyin kare laikin oos ke kahne se yeh m'aloom ho raha ho keh oos ki nazar mein woh jagah koi khaas kahsusiyat

nahin rakhti to amaanatdaar oos klo kisi aisii jagah jo zyada mahfuuz ho ya pahli jagah jitni mahfuuz ho le ja sakta hai aur agar maal wahan talf ho jaaye to woh zimmedaar nahin hain.

2298. Agar maal ka maalik hameshaa ke deewaana ya behosh ho jaaye to amaanat ka m'amla khatm ho jaayega aur amaanatdaar ko chahiye keh fauran amaanat oos ke sarparast ko pohooncha de ya oos ke sarparast ko khabar kar de. Aur agar woh aisa na kare (y'ani shar'ee a'zr ke baghair maal deewaane ke sarparast ko na pohoonchaye aur oose khabar karne mein bhi kotaahi barte) aur maal talf ho jaaye tooose chahiye keh oos ka a'uz de. Laikin agar maal ke maalik par kabhi kabhaar deewangi ya behoshii ka daura padta ho to ehtayaat-e-waajib yeh hai keh yahi kaam kare.

2299. Agar maal ka maalik mar jaaye to amaanat ka m'amla batil ho jata hai. Lehaaza agar oos maal mein kisi dusre ka haq na ho to woh maal oos ke waaris ko milta hai aur zaruri hai keh amaanatdaar oos maal ko oos ke waaris tak pohoonchaaye ya oose itla' de. Agar woh aisaa na kare (y'ani shar'ee a'zr ke baghair maal ko oos ke waaris ke hawaale na kare aur khabar dene mein bhi kotaahi barte) aur maal za'e ho jaaye to woh zimmedaar hai. Albatta agar waarison ke baare mein tahqeeq karne aur dhoondne ke liye maal ki hifaazat aur maal talf ho jaaye to woh zimmedar nahin hai.

2300. Agar maal ka maalik mar jaaye aur maal ki malkiyat ka haq oos ke wirsa ko mil jaaye to amaanat daar ke liye zaruri hai keh maal tamaam wirsa ko ya oon sab ke vakeel ko de. Lehaaza agar dusre wirsa ki ijaazat ke baghair tamaam maal faqt ek waaris ko de de to woh dasron ke hisso ka zimme daar hai.

2301. Agar amaanat daar mar jaaye ya hamesha ke liye deewana ya behosh ho jaaye to amaanat ka m'amla batil ho jaayega aur oos ke waaris ya sarparast ko chahiye keh jis qadr jald ho sake maal ke maalik ko itla' de ya amaanat oos tak pohoonchaye. Laikin agar kabhi kabhaar (ya thodi muddat ke liye) deewana ya behosh hota ho to ehtayaat-e-waajib ki bina par aisa ho kare.

2302. Agar amaanat daar apne aap mein mautki nishaniyaan dekhe to agar mumkin ho to ehtayaat ki bina par zaruri hai keh amaanat ko oos ke maalik, sarparast ya vakeel tak pohooncha de ya oos ko itla' de aur agar yeh mumkin na ho to zaruri hai keh aisaa bandobast kare keh oose itminaan ho jaaye keh oos ke marne ke b'ad mal oos ke maalik ko mil jaayega. Maslan wasiyat kare aur oos wasiyat par gawaah muqarrar kare aur maal ke maalik ka naam aur maal ki jins aur khasusiyaat aur mehal waqu' wasi aur gawaahon ko bata de.

2303. Agar amaanat daar ko koi safar pesh aaye to amaanat ko apne ahal o ayaal ke hawaale kare. Laikin agar oos ki hifaazat khud oos shakhs par mauquuf ho to safar na kare ya maal ooa ke maalik, sarparast ya vakeel ke hawaale kare ya oonhein aagaah kare.

A'riya ke Ehkaam

2304. "A'riya" se muraad yeh hai keh insaan apna maal dusre ko de takeh woh oos maal se istefada kare. Aur oos ke a'uz oos se koi cheez na le.

2305. A'riya mein degha padhna laazim nahin aur agar misaal ke taur par koi shakhs kisi ko lebaas a'riya ke qasad se de aur woh bhi oosi qasad se le to a'riya sahi hai.

2306. Ghasbi cheez ya oos ko bataur a'riya dena jo keh a'riya dene waale ka maal ho laikin oos ka faida oos ne kisi dusre shakhs ke supurd kar diya ho maslan oose kiraaye par de rakha ho, iis suurat mein sahi hai jab ghasbi cheez ka maalik ya woh shakhs jis ne a'riya di jaane waali cheez ko bataur ijaara le rakha ho oos ke bataur a'riya dene par raazi ho.

2307. Jis cheez ki manfa't kisi shakhs ke supurd ho maslan oos cheez ko kiraaye par le rakha ho to oose bataur a'riya de sakta hai. Magar yeh keh aqd ijaara mein yeh shart rakhi ho keh oose khud hi iste'maal karegaa (to oos cheez ko bataur a'riya nahin de sakta) aur pahli suurat mein

ehtayaat-e-waajib ki bina par maalik ki ijaazat ke baghair oos shakhs ke hawaale nahin kar sakta jis ne oose bataur a’riya diya hai.
2308. Agar deewana, bachcha, diwaaliya ya safia apna maal a’riyatan de to sahi nahin hai. Laikin agar (oon mein se kisi ka) sarparast a’riya dene ki masslihat samajhta ho aur jis shakhs ka woh sarparast hai oos ka maal a’riyatan de to oos mein koi ishkaal nahin. Isii tarah jis shakhs ne maal a’riyatan liya ho oos tak maal pohoonchane ke liye bachcha wasila bane to koi ishkaal nahin.
2309. A’riyatan lee huyee cheez ki tanghedasht mein kotaahi na kare aur iis mein najayez tasarruf bhi na kare aur ittefaqan woh cheez talf ho jaaye to woh shakhs zimmedaar nahin hai. Laikin agar tarfain aapas mein yeh shart kare keh agar woh cheez talf ho jaaye to a’riyatan lene wala zimmedaar hoga ya jo cheez a’riyatan lee ho woh sonaa chaandi ho to oos ka a’uz dena zaruri hai.
2310. Agar koi shakhs sona chaandi a’riyatan le aur yeh tay liya ho keh agar talf ho gaya ho to zimme daar nahin hoga phir talf ho jaaye to woh shakhs zimme daar nahin hai.
2311. Agar a’riya par dene wala mar jaaye to a’riya par lene waale ke liye zaruri hai keh jo tariqa amaanat ke maalik ke faut ho jaane ki suurat mein massla 2300 mein batay gaya hai oosi mutabiq a’ml kare.
2312. Agar a’riya dene waale ki kaifiyat yeh ho keh woh shar’an apne maal mein na tasarruf kar saktamaslan deewana ya behosh ho jaaye to a’riya lene waale ke liye zaruri hai keh oosi tariqe ke mutabiq a’ml kare jo massla 2294 mein amaanat ke baare mein iis massle se milta julta bayaan kiya gaya hai.
2313. Jis shakhs ne koi cheez a’riyatan di ho woh jab bhi chahe oose mansuukh kar sakta hai aur jis ne koi cheez a’riyatan lee ho woh bhi jab chahe oose mansuukh kar sakta hai.
2314. Kisi aisii cheez ka a’riyatan dena jis se halaal istefaida na ho sakta ho maslan qamaar b’azi ke aalaat aur khaane peene mein iste’maal karne ke liye sone aur chaandi ke bartan a’riyatan dena balkeh ehtayaa-e-laazim ki bina par har qism ke iste’maal ke liye a’riyatan dena batil hai. Albatta aarayish ke liyec a’riyatan dena jayez hai.
2315. Bhed (bakrion) ko oon ke dhoodh aur uoon se istefaida karne ke liye neiz haiwaan ko mada haiwaanaat ke sathh milaap ke liye a’riyatan dena sahi hai.
2316. Agar kisi cheez ko a’riyatan lene wala oose oos ke maalik ya maalik ke vakeel ya sarparast ko de de aur oos ke b’ad woh cheez talf ho jaaye to oos cheez ko a’riyatan lene wala zimme daar nahin hai. Laikin agar woh maal ke maalik ya oos ke vakeel ya saparast ki ijaazat ke baghair maal ko khawah aisii jagah le jaaye jahan maal ka maalik oose amuman le jata ho maslan ghode ko oos astabal mein baandh de jo oos ke maalik ne oos ke liye tayyar kiya ho aur b’ad mein ghoda talf ho jaaye ya koi oose talf kar de to a’riyatan lene wala zimme daar hai.
2317. Agar ek shakhs koi najis cheez a’riyatan de to oos suurat mein oose chahiye keh jaisa massle2014 mein guzar chuuka hai – oos cheez ke najis hone ke baare mein a’riyatan lene waale shakhs ko bata de.
2318. Jo cheez kisi shakhs ne a’riyatan lee ho oose oos ke maalik ki ijaazat ke baghair kisi dusre ko kiraaye par a’riyatan nahin de sakta.
2319. Jo cheez kisi shakhs ne a’riyatan lee ho oose oos ke maalik ki ijaazat se kisi aur shakhs ko a’riyatan de de to agar jis shakhs ne pahle woh cheez a’riyatan lee ho mar jaaye ya deewana ho jaaye to dasra a’riya batil nahin hota.
2320. Agar koi shakhs jaanta ho keh jo maal oos ne a’riyatan liya hai woh ghasbi hai to zaruri hai keh woh maal oos ke maalik ko pohooncha de aur woh oose a’riyatan dene waale ko nahin de sakta.

2321. Agar koi shakhs aisaa maal a'riyatan le jis ke mut'aliq jaanta ho keh woh ghasbi hai aur oos se faida uuthhaye aur oos ke hathh se woh maal talf ho jaaye to maalik oos maal ka a'uz aur jo faida a'riyatan lene waale ne uuthhaya hai oos ka a'uz oos se ya jis ne maal ghasb kiya ho oos se talab kar sakta hai. Aur agar maalik a'riyatan lene waale se a'uz le le to a'riyatan lene wala jo kuchh maalik ko de oos ka muataleba a'riyatan dene waale se nahin kar sakta.
2322. Agar kisi shakhs ko yeh m'aloom na ho keh oos ne jo maal a'riyatan liya hai woh ghasbi hai aur oos ke paas hote huye woh maal talf ho jaaye to agar maal ka maalik oos ka a'uz oos se le le to woh bhi jo kuchh maal ke maalik ko diya ho oos ka mutaleba a'riyatan dene waale se kar sakta hai. Laikin agar oos ne jo cheez a'riyatan lee ho woh sonaa ya chaandi ho ya bataur a'riya dene waale ne oos se shart ki ho keh agar woh cheez talf ho jaaye to woh oos ka a'uz degaa to phir oos ne maal ka jo a'uz maal ke maalik ko diya ho oos ka mutaleba a'riyatan dene waale se nahin kar sakta. Laikin agar maalik ne oos maal se istefaida ke badle koi cheez le li ho to a'riyatan dene waale se oos ka mutaleba kar sakta hai.

Nikaah ke Ehkaam

Aqd azdoaaj ke zariye aurat, mar par aur mard, aurat par halaal ho jaate hain aur aqd ki do qismein hai. Pahli daa'emee aur dusri ghair daa'emee. Muqarrrara vaqt ke liye aqd – aqd daa'emee oose kahte hain jis mein azdoaaj ki muddat mo'yyin na ho aur woh hameshaa ke liye ho aur jis aurat se iis qism ka aqd kiya jaaye oose dayema kahte hain. Ghair daa'emee aqd woh hai keh jis mein azdoaaj ki muddat mo'yyin ho. Maslan aurat ke sathh ek ghante ya ek din ya ek mahine ya ek saal ya iis se zayada muddat ke liye aqd kiya jaaye. Laikin iis aqd ki muddat aurat aur mard ki ya dono mein se ek ki a'am umr se zayada nahin honi chahiye kioon na keh iis suurat mein aqd batil ho jaayega. Jab aurat se iis qism ka aqd kiya jaaye oose muta' ya segha kahte hain.

Ehkaam Aqd

2323. Azdoaaj khawah daa'emee ho ya ghair daa'emee iis mein segha (nikaah ke bol) padhna zaruri hai. Aurat aur mard ka mehaz razamand hona aur isii tarah (nikaah nama) likhna ehtayaat-e-waajib par kaafi nahin hai. Nikaah ka seghaa ya to aurat aur mard khud padhte hain ya kisi vakeel ko muqarrar kar lete hain takeh woho on ki taraf se padh de.
2324. Vakeel ka mard hona laazoim nahin hai balkeh aurat bhi nikaah ka segha padhne ke liye kisi dusre ki jaanib se vakeel ho sakta hai.
2325. Aurat aur mard ko jab tak itminaan na ho jaaye keh oon ke vakeel ne segha padh diya hai oos vaqt tak woh ek dusre ko mahramana nazron se nahin dekh sakte. Aur iis baat ka gumaan keh vakeel ne segha padh diya hai kaafi nahin hai. Balkeh agar vakeel kah de keh main ne segha padh diya laikin ii ski baat par itminaan na ho to ehtayaat-e-waajib yeh hai keh t'aluqaat qaayem na kare.
2326. Agar koi aurat kisi aurat ko vakeel muqarrar kare aur kahe keh tum meraa nikaah das din ke liye falan shakhs ke sathh padh so aur das din ki ibteda ko mo'yyin na kare to woh (nikaah khawan) vakeel jin das dino ke liye chaahe oose oos mard ke nikaah mein de sakta hai. Laikin agar vakeel ko m'aloom ho keh aurat ka maqsad kisi khaas din ya ghante ka hai to phir oose chahiye keh aurat ke qasd ke mutabiq segha padhe.
2327. Aqd daa'emee ya aqd ghair daa'emee ka segha padhne ke liye ek shakhs do ashkhaas ki taraf se vakeel ban sakta hai. Aur insaan yeh bhi kar sakta hai keh aurat ki taraf se vakeel ban jaaye aur oos se khud daa'emee ya ghair daa'emee nikaah kar le alkin ehtayaat-e-mustahab yeh hai keh nikaah do ashkhaas padhen.

Nikaah padhne ka Segha

2328. Agar aurat aur mard apne daa'emee nikaah ka segha padhen to mehar mo'yyin karne ke b'ad pahle aurat kahe "zawwajtoka nafsi a'las sedaaqil m'aloom" y'ani main ne iis mehar par jo mo'yyin hua hai apne aap ko tumhaari biwi banaya aur oos ke lamha bhar b'ad mard kahe: "qabiltut tazwija" y'ani main ne azdoaaj ko qabool kiya to nikaah sahi hai. Aur isii tarah agar faqt qabilto kahe tab bhi nikaah sahi hai. Aur agar woh kisi dusre ko vakeel muqarrar kare keh oon ki taraf se segha nikaah padh de to agar misaal ke taur par mar ka naam ahmed aur aurat ka naam fatema ho aur aurat ka vakeel kahe ""zawwajto muwakkelaka ahmada muwakkelati fatemata a'las sedaaqil m'aloom" aur iis ke lamha bhar b'ad mard ka vakeel kahe "Qabiltut tazweeja le muwakkeli ahmada a'las sedaaqil m'aloom" to nikaah sahi hoga aur ehtayaat-e-mustahab yeh hai keh mard jo lafz kahe woh aurat ke kahne waale lafz ke mutabiq ho maslan agar aurat "zaawwajto" kahe to zaruri hai keh mard kahe "qabiltut tazweeja" aur "qabilto nikaha" na kahe.

2329. Agar khud aurat aur mard shaahe to ghair daa'emee nikaah ka segha nikaah ki muddat aur mehar mo'yyin karne ke b'ad padh sakte hain. Lehaaza agar aurat kahe "zawwajtoka nafsi fil muddatil m'aloommate a'lal meharil m'aloom" aur iis ke lamha bhar b'ad mard kahe "qabilto" to nikaah sahi hai. Aur agar woh kisi aur ko vakeel banaye aur pahle aurat ka vakeel mard ke vakeel se kahe "zawwajto muwakkelati muwakkelaka fil muddatil m'aloomate a'lal meharil m'aloom" aur iis ke ba'd mard ka vakeel m'amooli tauquf ke b'ad kahe " qabiltut tazweeja lemuwakkeli hadha" to nikaah sahi hoga.

Nikaah ki Shara'et

2330. Nikaah ki chand shartein hain (jo zeil mein darj ki jaati hain):

1. Ehtayaat-e-waajib ki bina par nikaah ka segha a'rbi mein padhaa jaaye aur agar khud mard aur aurat segha a'rbi mein na pdha sakte hon to a'rbi ke a'lawa kisi dusri zabaan mein padh sakte hain aur kisi shakhs ko vakeel banana laazim nahin hai. Albatta oonhein chahiye keh woh alfaaz kahen jo "zawwajto" aur "qabalto" ka mafhuum ada kar saken.
2. Mard aur aurat ya iin ke vakeel jo keh seghaa padh rahe hon woh "qasde insha'" rakhte huye y'ani agar khud mard aur aurat segha padh rahe hon to aurat ka "zawwajatoka nafsi" kahna iis niyyat se ho keh khud ko oos ki biwi qarra de aur mard ka "qabiltut tazweeja" kahna iis niyyat se ho keh woh oos ka apni biwi banna qabool kare. Aur agar mard aur aurat ke vakeel segha padh rahe hon to "zawwajto" aur "qabilto" kahne se oon ki niyyat yeh ho keh woh mard aur aurat jinho ne oonhein vakeel banaya hai ek dusre ke miyan biwi ban jaayen.
3. Jo shakhssegha padh raha ho zaruri hai keh woh a'aqil ho aur agar apbe liye padh raha ho to baaligh hona bhi zaruri hai. Balkeh ehtayaat-e-waajib ki bina par nabaaliigh mammayez bachche kad dusre ka nikaah padhna kaafi nahin hai. Aur agar padh de to talaaq dena zaruri hai ya dobarah nikaah padhen.
4. Agar aurat aurmard ke vakeel ya oon ke sarparast seghaa padh rahe hon to woh nikaah ke vaqt aurat aur mard ko mo'yyin kar len. Maslan oon ke naam len ya onn ki taraf ishara Karen. Lehaaza jis shakhs ki kayee ladkiyaan hon agar woh kisi mard se kahe "zawwajtoka ihde banati" y'ani main ne apni biwion mein se ek ko tumhaari biwi banaya aur woh mard kahe "qabilto" y'ani main ne qabool kiya to chu nakeh nikaah karte vaqt ladki ko mo'yyin nahin kiya gaya iis liye nikaah batil hai.

5. Aurat aur mard azdoaaj par raazi hon. Han! Agar bazaahir napasandgi ka izhaar Karen aur m'aloom ho keh dik se raazi hain to nikah sahi hai.

2331. Agar nikaah mein ek harf ya zayada ghalat padhe jayen jis se maane na badle to nikaah sahi hai.

2332. Woh shakhs jo nikaah ka segha padh raha ho agar khawah ajmaali taur par nikaah ke maane jaanta ho aur oos ke maane ko haqiqi shakl dena chahta ho to nikaah sahi hai. Yeh laazim nahin keh woh tafseel ke sathh seghe ke maane jaanta ho. Maslan yeh jaanta ho keh a'rbi zabaan ke lehaaz se fa'el ya fa'al kaoon sa hai.

2333. Agar aurat ka nikaah kisi mard se oon ki ijaazat ke baghair kar diya jaaye aur b'ad mein aurat aur mard oos nikaah ki ijaazat de den to nikaah sahi hai. Ijaazat ke liye koi aisii baat kahen ya koi aisaa kaam anjaam den jo razamandi par walalat kare kaafi hai.

2334. Agar aurat aur mard dono ko ya oon mein se kisi ek ko azdoaaj par majboor kiya jaaye aur nikaah padhe jaane ke b'ad guzishta massle mein kahe gaye tariqe par woh ijaazat de den to nikaah sahi hai laikin behtar yeh hai keh dobarah nikaah padha jaaye.

2335. Baap aur dada apne naabaligh ladke ya ladki (pote ya poti) ya deewaane farzand ka jo deewangi ki haalat mein baaligh hua ho dasron se nikaah kar sakte hain aur jab woh bachcha baaligh ho jaaye ya deewana a'aqil ho jaaye to oonh one oos ka jo nikaah kiya ho agar oos mein koi kharabi ho to oonhein oos nikaah ko barqarrar rakahne ya khatm karne ka ikhtayaar hai. Aur agar koi kharabi na ho aur nabaaligh ladke ya ladki mein se koi ek apne oos nikaah ko mansuukh kare to ehtayaat-e-waajib ki bina par zaruri hai keh talaaq de ya dobarah nikaah padhe.

2336. Jo ladki sin bulugh kop pohoonch chuuki ho aur rashida ho y'ani apna bura bhala samajh sakti ho agar woh shaadi karna chaahe aur koonwaari ho aur apni zindagi ke umoor khud mukhtaari se anjaam na deti ho to oose chahiye keh apne baap ya dada oose ijaazat le. Balkeh ehtayaat-e-waajib ki bina par yahi hukm oos ke liye bhi hai jo khud mukhtaari se apni zindagi ke kaamon ko anjaam deti ho, albatta maa aur bhayee se ijaazat lena laazim nahin.

2337. Agar ladki koonwaari na ho ya koonwaari ho laikin baap aur dada oos mard ke sathh oose shaadi karne ke liye ijaazat na dete hon jo a'rfan wa shar'an oos ka hampala ho ya baap aur dada beti ke shaadi ke m'amle mein kisi tarah shareek hone ke liye raazi na ho ya deewangi ya iis jaisii dusri wajah se ijaazat dene ki ehliyat na rakhte hon to oon tamaam suuraton mein oon se ijaazat lena laazim nahin hai. Isii tarah oon ke maujood na hone ya kisi dusri wajah se ijaazat lena mumkin na ho aur ladki ka shaadi karna behad zaruri ho to baap aur dada se ijaazat lena laazim nahin hai.

2338. Agar baap ya dada apne nabaaligh ladke (ya pote) kli shaadi kar den to ladke (ya pote) ko chahiye keh baaligh hone ke b'ad oos aurat ka kharch de balkeh baaligh hone se pahle bhi jab oos ki umr itnii ho jaaye keh woh oos ladki se lazzat uuthhane ki qabiliyat rakhta ho aur ladki bhi iis qadr chhoti na ho keh shauhar oos se lazzat na uuthha sake to biwi ke kharch ka zimme daar ladka hai. Iis suurat ke a'lawa biwi ka kharcha mard ke aimme nahin.

2339. Agar baap ya dada apne nabaaligh ladke (ya pote) ki shaadi kar den to agar ladke ke paas nikaah ke vaqt koi maal na ho to baap ya dada ko chahiye keh oos auurat ka mehar de. Aur yahi hukm hai agar ladke (ya pote) ke paas koi maal ho laikin baap ya dada ne mehar ada karne ki zamaanat di ho. Iin do suuraton ke a'lawa agar oos ka mehar mehar ul missal se zayada na ho ya kisi masslahaty ki bina par oos ladki ka mehar mehar ul missal se zayada ho to baap ya dada bete (ya pote) ke maal se mehar ada kar sakte hain warna bete (ya pote) ke maal se mehar ul missal se zayada mehar nahin de sakte magar yeh keh bachcha baaligh hone ke b'ad oon ke oos kaam ko qabool kare.

Woh suuratein jin mein mard ya aurat nikaah faskh kar sakte hain

2340. Agar nikaah ke b’ad mard ko pata chale keh aurat mein nikaah ke vaqt mandarja zeil chhe a’ib mein se koi a’ib maujood thha to oos ki wakah se nikaah ko faskh kar sakta hai:

1. Deewangi – agarche kabhi kabhaar hoti ho.
2. Jazaam.
3. Bars.
4. Andhaapan.
5. Apaahij hona –agarche zameen par na ghasatti ho.
6. Bachchedaani mein gosht ya haddi ho. Khawah jama’ aur haml ke liye man’e ho ya no. Agar mard ko nikaah ke b’ad pata chale keh aurat nikaah ke vaqt afzaa ho chuuki thhi y’ani oos ka peshaab ya haiz makhraj ya haiz aur paakhaane ka makhraj ek ho chuuka thha ya teeno ka ek makhraj ho chuuka thha to iis suurat mein nikaah ko faskh karne mein ishkaal hai aur ehtayaat-e-laazim yeh hai keh agar aqd ko faskh karna chaahe to talaaq bhi de.

2341. Agar aurat ko nikaah ke b’ad pata chale keh oos ke shauhar ka alaa tanaasil nahin hai, ya nikaah ke b’ad jama’ karne se pahle, ya jama’ karne ke b’ad, oos ka alaa tanaasil kat jaye, ya aisii beemari mein mubtela ho jaaye keh sehat aur jama’ na kar sakta ho khawah woh beemari nikaah ke b’ad aur jama’ karne se pahle, ya jama’ karne ke b’ad hi kyoon na lahaq huyee ho, iin tamaam suuraton mein aurat talaaq ke baghair nikaah ko faskh kar sakti hai. Agar aurat ko nikaah ke b’ad pata chale keh oos ka shauhar nikaah se pahle deewana thha, ya nikaah ke b’ad – khawah jama’ se pahle, ya jama’ ke b’ad – deewana ho jaaye, ya oose (nikaah ke b’ad) pata chale keh nikaah ke vaqt oos ke faute nikaale gaye thhe ya massal diye gaye thhe, ya oose pata chale keh nikaah ke vaqt jazaam ya bars ya andhepan mein mubtela thha to iin tamaam suuraton mein ehtayaat-e-waajib yeh hai keh aurat nikahh khatm na kare. Aur agar aisa kar de to ehtayaat-e-waajib yeh hai keh agar woh miyaan biwi ke t’aluqaat barqarrar rakhna chahen to dobarah nikaah kare. Aur agar a’laidgi chaahe to talaaq de di jaaye. Aur iis siuurat mein keh shauhar jama’ na kar sakta ho aur aurat nikaah ko khatm karna chahe to oos par laazim hai keh pahle haakim shar’a ya oos ke vakeel se ijaazat ruju’ kare aur haakim shar’a oose ek saal ki mohlat dega lehaaza agar oos dauraan woh oos aurat ya kisi dusri aurat se jama’ na kar sake to oos ke b’ad aurat nikaah ko khatm kar sakti hai.

2342. Agar aurat iis bina par nikaah khatm kar de keh oos ka shauhar naamard hai to zaruri hai keh shauhar oose adhaa mehar de. Laikin agar oos dusre naqa’es mein se jin ka zikr uupar kiya gaya hai kisi ek ki bina par mard ya aurat nikaah faskh kar den to agar mard ne aurat ke sathh jama’ na kiya ho to woh kisi cheez ka zimmedaar nahin hai aur agar jama’ kiya ho to zaryuri hai keh poora mehar de.

2343. Agar mard ya aurat jo kuchh hai oos se zayada badhaa chada kar oon ki t’areef ki jaaye takeh woh shaadi karne mein dilchaspi len. Khawah yeh t’areef nikaah ke zaman mein ho ya oos se pahle, oos suurat mein keh oos t’areef ki booniyaad par nikaah hua ho. . Lehaaza agar nikaah ke b’ad dusre fareeq ko iis baat ka ghalat hona m’aloom ho jaaye to woh nikaah ko khatm kar sakta hai aur oos massle ke tafseeli ehkaam “minhaajul saleheen” mein bayaan kiya gaye hain.

Woh auratein jin se nikaah karna haraam hai

2344. Oon auraton ke sathh jo insaan ki mahram hon azdawaaj haraam hain. Maslan maa, behan, beti, phoopi, khala, bhatiji, bhanji, saas.

2345. Agar koi shakhs kisi aurat se nikaah kare chaahe oos ke sathh jama' nab hi kare to oos aurat ki maa, nani aur dadi aur jitna silsila uupar chala jaaye sab auratein oos mard ki mahram ho jaati hain.
2346. Agar koi shakhskisi aurat se nikaah kare aur oos ke sathh hambistari kare to phir oos aurat ki ladki, nawaasi, poti aur jitna silsila neeche chala jaaye sab auratein oos mard ki mahram ho jaati hain khawah aqd ke vaqt maujood hon ya b'ad mein paida hon.
2347. Agar kisi mard ne ek aurat se nikaah kiya ho lakin ham bistari na ki ho to jab tak woh aurat oos ke nikaah me rahe – ehtayaat-e-waajib ki bina par oos vaqt tak oos ki ladki se azdawaaj na kare.
2348. Insaan ki phoopi aur khala aur oos ke baap ki phoopi aur khal aur dada ki phoopi aur khala baap ki maa (dadi) aur maa ki phoopi aur khala aur mani aur nana ki phoopi aur jis qadr yeh silsila uupar chala jaaye sab oos ke mahram hain.
2349. Shauhar ka baap aur dada aur jis qadr yeh silsila uupa chala jaaye aur shauhar ka beta, pota aur nawasa jis qadr bhi yeh silsila neeche chala jaaye aur khawah woh nikaah ke vaqt dooniya mein maujood hon ya b'ad mein paida hon sab oos ki biwi ke mahram hain.
2350. Agar koi shakhs kisi aurat se nikaah kare to khawah nikaah daa'emee ho ya ghair daa'emee jab tak woh aurat oos ki mankuha hai woh oos ki behan ke sathh nikaah nahin kar sakta.
2351. Agar koi shakhs iis tarteeb ke mutabiq jis ka zikr talaaq ke massle mein kiya jaayega apni biwi ko talaaq raja'ee de de to woh I'ddat ke dauraan oos ki behan se nikaah nahin kar sakta laikin talaaq bayen ki I'ddat ke dauraan oos ki behan se nikaah kar sakta hai aur muta' ki I'ddat ke dauraan ehtayaat-e-waajib yeh hai keh aurat ki behan se nikaah na kare.
2352. Insaan apni biwi ki ijaazat ke baghair oos ki bhatiji ya bhanji se shaadi nahin kar sakta laikin agar woh biwi ki ijaazat ke baghair oon se nikaah kar le aur b'ad mein biwi ijaazat de de to phir koi ishkaal nahin.
2353. Agar biwi ko pata chale keh oos ke shauhar ne oos ki bhatiji ya bhanji se nikaah kar liya hai aur khaamosh rahe to agar woh b'ad mein raazi ho jaaye to nikaah sahi hai aur agar razamand na ho to oon ka nikaah batil hai.
2354. Agar insaan khala ya phoopi ki ladki se nikaah karne se pahle (na'uzo billah) khala ya phoopi se zina kare to phir woh oos ki ladki se ehtayaat-e-waajib ki bina par shaadi nahin kar sakta.
2355. Agar koi shakhs apni phoopi ya khala ki ladki se shaadi kare aur oos se hambistari katne ke b'ad ya pahle oos ki maa se zina kare to yeh baat oon ki juda'ee ka maujab nahin banti.
2356. Agar koi shakhs apni phoopi ya khala ke a'lawa kisi aur aurat se zina kare to ehtayaat-e-waajib ki bina par oos ki beti ke sathh shaadi na kare.
2357. Musalmaan aurat kaafir mard se nikaah nahin kar sakti khawah daa'emee ho ya mauquf, kaaafir ahle kitaab ho ya no ho, musalmaan mar bhi ahle kitaab ke a'lawa kaafir auraton se nikaah nahin kar sakta. Laikin yahudi aur I'sayee auraton se muta' karne mein koi harj nahin aur ehtayaat-e-laazm ki bina par oon se daa'emee aqd na kiya jaaye aur majuusi aurat se ehtayaat-e-waajib ki bina par nikaah hatta keh muta' bhi nahin karna chahiye. Aur b'az firqe maslan naasbi jo apne aap ko musalmaan samjhte hain, kuffar ke hukm mein hain aur musalmaan mard aur aurat oon ke sathh daa'emee ya ghair daa'emee nikaah nahin kar sakte. Aur yahi hukm murtad ka hai.
2358. Agar koi shakhs ek aisii aurat se zina kare jo raja'ee talaaq ke I'ddat guzaar rahi ho to ehtayaat-e-waajib ki bina par woh aurat pps par haraam ho jaati hai. Aur agar aisii aurat ke sathh zina kare jo muta' ya talaaq bayen ya wafaat ya wari shuba ki I'ddat guzar rahi ho to b'ad mein

oos ke sathh nikaah kar sakta hai. Raja'ee talaaq, bayen talaaq, muta' ki I'ddat, wafaat ki I'ddat aur wait shuba ki I'ddat ke m'ane talaaq ke ehkaam mein bataye jayenge.

2359. Agar koi shakhs kisi aisii aurat se zina kare jo beshauhar ho magar I'ddat mein na ho to ehtayaat-e-waajib ki bina par tauba karne se pahle oos se shaadi nahin kar sakta. Laikin agar zaani ke a'lawa koi dasra shakhs (oos aurat ke) tauba karne se pahle oos ke sathh shadi karna chaahe to koi ishkaal nahin hai. Magar iis suurat mein keh woh aurat zinakaar masshhoor ho to ehtayaat-e-waajib ki bina par oos (aurat) ke tauba karne se pahle oos ke sathh shaadi karna jayez nahin hai. Isii tarah koi mard zinakaar masshhoor ho to tauba karne se pahle oos ke sathh shaadi karna jayez nahin hai. Aur ehtayaat-e-mustahab yeh hai keh agar koi shakhs zinakaar aurat se jis se khud oos ne ya kisi dusre ne moonh kala kiya ho shaadi karna chaahe to haiz aane tak sabr kare aur haiz aane ke b'ad oos ke sathh shaadi kar le.

2360. Agar koi shakhs ek aisii aurat se nikaah kare jo dusre ki I'ddat mein ho to agar mard aur aurat dono ya iin mein koi ek jaanta ho keh aurat ki I'ddat kahtm nahin huyee aur yeh bhi jante honk eh I'ddat ke dauraan aurat se nikaah karna haraam hai to agarche mard ne nikaah ke b'ad aurat se jama' nab hi kiya ho to woh aurat hamesha ke liye oos par haraam ho jaayegi. Aur agar dono I'ddat ke dauraan hone ya I'ddat mein nikaah ke haraam hone se bekhabar hon to nikaah baril hai, agar hambistari bhi ki hai to hamesha ke liye haraam ho jayenge. Agar hambistari na ki ho to haraam nahin hain aur I'ddat khatm hone ke b'ad dobarah nikaah kar sakte hain.

2361. Agar koi shakhs yeh jaante huye keh aurat shauhar daar hai aur (oos se shaadi karna haraam hai) oos se shaadi kare to zaruri hai keh oos aurat se juda ho jaaye aur b'ad mein bhi oos se nikaah nahin karna chahiye. Agar oos shakhs ko yeh ilm na ho keh aurat shauhar daar hai laikin shaadi ke b'ad oos se hambistari ki ho tab bhi ehtayaat-e-waajib ki bina par yahi hukm hai.

2362. Agar shauhar daar aurat zina kare to ehtayaat-e-waajib ki bina par woh zaani par hamesha ke liye haraam ho jaati hai. Laikin shauhar par haraam nahin hoti aur agar tauba wa istaghfaar na kare aur a'mal par baaqi rahe (y'ani zinakaari tark na kare) to behatr yeh hai keh oos ka shauhar oose talaaq de de laikin shauhar ko chahiye keh oos ka mehar bhi de.

2363. Jis aurat ko talaaq mil gayee ho aur jo aurat muta' mein rahi ho aur oos ke shauhar ne muta' ki I'ddat bakhsh di ho ya muta' ki muddat khatm ho gayee ho agar woh kuchh arse ke b'ad dasra shauhar kare aur aphir oose shak ho keh dusre shauhar se nikaah ke vaqt pahle shauhar ki I'ddat khatm huyee thhi ya nahin to woh apne shak ki parwah na kare.

2364. Aghlaam karwaane waale ladke ki maa, behan aur beti aghlaam karne waale par jabkeh (aghlaam karne wala) baaligh ho – haraam ho jaate hain. Agarche supaari se kam dhakhil hua ho. Agar aghlaam karwaane wala mard ho ya aghlaam karne wala nabaaligh ho tab bhi ehtayaat-e-laazim ki bina par yahi hukm hai. Laikin agar oose gumaan ho keh dakhuul hua thha ya shak kare keh dhakuul hua thha ya nahin to phir woh haraam nahin honge. Aur isii tarah aghlaam karne waale ki maa, behan aur beti aghlaam karwaane awaale par haraam nahin hai.

2365. Agar koi shakhs kisi aurat se shaadi kare aur shaadi ke b'ad oos aurat ke baap, bhayee ya bete se aghlaam kare to ehtayaat-e-waajib ki bina par woh aurat oos par haraam ho jaati hai.

2366. Agar koi shakhs ehraam ki haalat mein jo a'amaal mein hajj mein se ek a'mal hai kisi aurat se shaadi kare to oos ka nikaah batil hai agarche woh aurat ehraam mein na ho. Aur agar oose ilm thha keh kisi aurat se ehraam ki haalat mein nikaah karna oos par haraam hai to b'ad mein woh oos aurat se kabhi bhi shaadi nahin kar sakta.

2367. Jo aurat ehraam ki haalat mein ho agar woh ek aise mard se shaadi kare jo ehraam ki haalat mein na ho to oos ka nikaah batil hai agarche mard haalat ehraam mein na ho. Aur agar ko m'aloom thha keh ehraam ki haalat mein shaadi karna haraam hai to ehtayaat-e-waajib yeh hai keh b'ad mein oos mard se kabhi bhi shaadi na kare.

2368. Agar mard ya aurat tawaaf ul nisaa na baja layen jo umra mufarrada ke a'amaal mein se ek hai to aise mard aur aurat ke liye jinsi lazzzat ka hasool jayez nahin hota yahan tak keh woh tawaaf ul nisaa baja layen. Laikin agar halaq ya taqseer ke zariye ehraam se kharij hone ke b'ad shaadi kare to nikaah sahi hai chaahe tawaaf ul nisaa anjaam na diya ho.
2369. Agar koi shakhs nabaaligh ladki se nikaah kare to oos ladki ki umr nau saal hone se pahle oos ke sathh jama' karna haraam hai. Laikin agar jama' kare to ladki ke baaligh hone ke b'ad oos se jama' karna haraam nahin hai khawah oose afzaa hi ho gaya ho. Afza ke maane massla 2340 mein bataye ja chuuke hain. Albatta afzaa ki suurat mein ladki ko deit dena zaruri hai jo ek insaan ko qatl karne ki deit hai. Aur oos ladki ko zaruriyaat zindagi hameshaa deta rahe hatta keh talaaq ke b'ad bhi, balkeh ehtayaat-e-waajib ki bina par talaaq ke b'ad woh ladki kisi dusre se nikaah kar le tab bhi ada karta rahe.
2370. Jis aurat ko teen baar talaaq di jaaye keh oon talaaqon ke dirmiyaan do baar ruju' ya aqd hua ho to woh shauhar par haraam ho jaati hai. Han! Agar shara'et ke sathh jin ka zikr talaaq ke ehkaam mein kiya jaayega woh aurat dusre mard se shaadi kare to dusre shauhar ki maut ya oos se talaaq ho jaane ke b'ad aur I'ddat guzar jaane ke b'ad oos ka pahla shauhar dobarah oos ke sathh nikaah kar sakta hai.

Daa'emee aqd ke Ehkaam

2371. Jis aurat ka daa'emee nikaah ho jaaye oos ke liye haraam hai keh shauhar ki ijaazat ke baghair ghar se baahar nikla khawah oos ka nikalna shauhar ke haq ke manafi nab hi ho. Magar yeh keh koi aham zarurat pesh aaye ya ghar mein rahna oos ke liye nuqsaan ka ba'es bane ya ghar oos ke moonaasib na ho. Neiz oos ke liye zaruri hai keh jab bhi shauhar jinsi lazzat haasil karna chaahe to oos ki khawahish poori kare aur shara'ee uzr ke baghair shauhar ko ham bistari se na roke. Oos ki ghaza, lebaas, rihayish aur zindagi ki baaqi zaruriyaat ka intezaam shauhar par waajib hai. Agar woh yeh cheezein muhayya na kare to khawah oon ke muhayya karne par qudrat rakhta ho ya na rakhta ho woh biwi ka maqruz hai. Isii tarah aurat ke huquq mein se ek yeh hai keh mard oose aziyat wa aazaar na pohoonchaye aur kisi shara'ee wajah ke baghair oos ke sathh sakhti aur tarsh ruyee se paesh na aaye.
2372. Agar koi aurat hambistari aur jinsi lazzaton ke silsile mein shauhar ka sathh de kar oos ki khawahish poori na kare to roti, kapdeaur makaan ka woh zimmedaar nahin hai agarche woh shauhar ke paas hi rahe aur agar woh kabhi kabhaar apni oom zimmedariyon ko poora na kare to ehtayaat-e-waajib ke mutabiq roti, kapde aur makaan ka shauhar par haq saqit nahin hota aur har suurat mein oos ka mehar ka l'adam nahin hota.
2373. Mard ko yeh haq nahin keh biwi ko ghareloo khidmat par majboor kare.
2374. Biwi ke safar ke akhrajaat watan mein rahne ke akhrajaat se zayada hon to oos ne safar shauhar ki ijaazat se kiya ho to shauhar ki zimmedaari hai keh woho on akhrajaat ko poora kare. Laikin agar woh safar gaadi ya jahaaz waghairah ke zariye ho to kiraaye aur safar ke dusre zaruri akhrajaat ki woh khud zimmedar hai. Laikin agar oos ka shauhar oose safar mein sathh le jana chahta ho to oos ke liye zaruri hai keh biwi ke safari akhrajaat bardasht kare. Isii tarah jaan bachaane ke liye safar zaruri ho maslan a'laaj waghairah ke liye bhi to akhrajaat mard ke zimme hain.
2375. Jis aurat ka kharch oos ke shauhar ke zimme ho aur shauhar oose kharch na de to woh apna kharch shauhar ki ijaazat ke baghair oos ke maal se le sakti hai. Aur agar na le sakti ho aur majboor ho keh apni m'ash ka khud bandobast kare aur shikayat karne ke liye haakim sahar'a tak oos ki rasayee na ho takhe woh oos ke shauhar ko kharch dene par majboor kare to jis vaqt woh

apni m’ash ka bandobast karne mein masshghuul ho oos vaqt shauhar ki ita’at oos par waajib nahin hai.

2376. Agar ksisi mard ki maslan do daa’emee biwiyaan hon aur woho on mein se ek ke paas ek raat rahe to oos par waajib hai keh chaar raaton mein se koi ek raat dusri ke paas bhi guzaare aur iis suurat ke a’lawa aurat ke paas rahna waajib nahin hai. Han! Yeh laazim hai keh oos ke paas rahna bilkul tark na kar de aur ulaa aur ehuut yeh hai keh har chaar raaton mein se ek raat mard apni daa’emee mankuha biwi ke paas rahe.

2377. Shauhar apni jawaan biwi se chaar mahine se zayada ba’es ke liye hambistari tark nahin kar sakta magar yeh keh hambistari oos ke liye nuqsaandeh ya bohut zayada takleef ka ba’es ho ya oos ki biwi khud chaar amhine se zayada I’ddat ke liye hambistari tark karne par raazi ho ya shaadi karte vaqt nikaah ke zaman mein chaar mahine se zayada muddat ke liye hambistari tark karne ki shart rakhi gayee ho. Aur iis hukm mein ehtayaat-e-waajib ki bina par shauhar ke maujood hone ya musaafir hone mein koi farq nahin hai iis liye ehtayaat-e-waajib ki bina par yeh jayez nahin keh ghair zaruri safar ko baghair kisi azr ya aurat ki razamandi ke baghair chaar maah se zayada tuul diya jaaye.

2378. Agar daa’emee nikaah mein mehar mo’yyin na kiya jaaye to nikaah sahi hai aur agar mard, aurat ke sathh jama’ kare to oose chahiye keh oosi jaisii auraton ke mehar ke mutabiq de. Albatta agar muta’ mein mehar mo’yyin na kiya jaaye agar che nadaani, ghaflat ya bhool ki wajah se ho to muta’ batil ho jata hai.

2379. Agar daa’emee nikaah padhte vaqt mehar den eke liye muddat mo’yyin na ki jaaye to aurat mehar lene se pahle shauhar ko jama’ karne se rok sakti hai, faqt nazar oos se keh mard mehar dene par qadir ho ya na ho. Laikin agar woh mehar lene se pahle jama’ par raazi ho aur ahauhar oos se jama’ kare to b’ad mein woh shara’ee azr ke baghair shauhar ko jama’ karne se nahin rok sakta.

Muta’ (m’ayina muddat ka nikaah)

2380. Aurat ke sathh muta’ karna agarche lazzat haasil karne ke liye na ho tab bhi sahi hai. Albatta aurat shart nahin kar sakta keh mard oos se koi lazzat haasil na kare.

2381. Ehtayaat-e-waajib yeh hai keh shauhar ne jis aurat se muta’ kiya ho agar woh jawaan ho to oos ke sathh chaar mahine se zayada jama’ tark na kare.

2382. Jis aurat ke sathh muta’ kiya jar aha ho agar woh nikaah mein yeh shart a’yed kare keh shauhar oos se jama’ na kare to nikaah aur oos ki a’yed karda shart sahi hai aur shauhar oos se faqt dusri lazzatein haasil kar sakta hai. Laikin agar woh b’ad mein jama’ ke liye raazi ho jaaye to shauhar oos se jama’ kar sakta hai. Daa’emee aqd mein bhi yahi hukm hai.

2383. Jis aurat ke sathh muta’ kiya gaya ho khawah woh haamla ho jaaye tab bhi kharch ka haq nahin rakhti.

2384. Jis aurat ke sathh muta’ kiya gaya ho hamkhawabi (raat guzaarne) la haq nahin rakti aur shauhar se meeraas bhi nahin paati aur shauhar bhi oos se meeraas nahin paata. Laikin agar oon mein se kisi ek fareeq ne ya don one meeraas pane ki shart rakhi ho to oos shart ka sahi hona mehal ishkaal hai laikin ehtayaat ka khayaal rakhna tark nahin hota.

2385. Jis aurat ke sathh muta’ kiya gaya ho agarche oose yeh m’aloom na ho keh woh kharch aur hambistari ka haq nahin rkahti oos ka nikaah sahi hai aur iis wajah se keh woh oonoor se naawaqif bhi oos ka shauhar par koi haq nahin banta.

2386. Jis aurat ke sathh muta’ kiya gaya ho shauhar ki ijaazat ke baghair ghar se baahar ja sakti hai laikin oos ke baahar jaane ki wajah shauhar ki haq talfi ho to oos ka baahar jana haraam hai

aur iis suurat mein jabkeh oos ke baahar jaane se shauhar ki haq talfi na hoti ho tab bhi ehtayaat-e-mustahab ki bina par shauhar ki ijaazat ke baghair ghar se baahar na jaaye.

2387. Agar koi aurat kisi mard ko vakeel banaye keh mo'yyin muudat ke liye aur mo'yyin raqam ke a'uz oos ka khud apne sathh segha padhe aur woh shakhs ooa ka daa'emee nikaah apne sathh padh le ya muddat muqarrar kiye baghair ya raqam ka t'aeen kiye baghair muta; ka segha padh de to jis vaqt aurat ko oon umoor ka pata chale agar woh ijaazat de de to nikaah sahi hao varna batil hai.

2388. Agar mahram hone ke liye maslan baap ya dada nabaaligh ladki ya ladke ka nikaah m'eena muddat ke liye kisi se padhen to oos suurat mein agar oos ki wajah se koi fasaad na ho to nikaah sahi hai. Laikin agar nabaaligh ladka shaadi ki oos poori muddat mein jinsi lazzat lene ki bilkul salahiyat na rakhta ho ya ladki aisii ho keh woh oos se bilkul lazzat na le sakta ho to nikaah ka sahi hona mehal ishkaal hai.

2389. Agar baap ya dada apne ladke ka jo dusri jagah ho aur yeh m'aloom na ho ekh woh zinda bhi hai ya nahin mahram ban jaane ki khatir kisi ladki se nikaah kar den aur zujiyat ki muddat itnii ho keh jis ladki se nikaah kiya gaya ho oos se istemna' ho sake to zaahiri taur par mahram banne ka maqsad haasil ho jaayega aur agar b'ad mein m'aloom ho keh nikaah ke vaqt woh ladki zinda na thhi to nikaah batil hai aur woh log jo nikaah ki wajah se bazaahir mahram ban gaye thhe naamahram hain.

2390. Jis aurat ke sathh muta' kiya gaya ho ahar mard oos ki nikaah mein mo'yyin ki huyee muddat bakhsh de to agar oos ne oos ke sathh hambistari ki ho to mard ko chahiye keh muqarrar kiya hua tamaam mehar oose de de aur agar hambistari na ki ho to aadhaa mehar dena wajib hai.

2391. Mard yeh kar sakta hai keh Jis aurat ke sathh pahle muta' kiya ho aur abhi oos ki muddat khatm na huyee ho, oos se daa'emee aqd kar le ya dobarah muta' kar le. Laikin agar muta' ki muddat mukammil nahin huyee hai aur wahi shakhs oos aurat ke sathh dauemee nikaah padhe to yeh nikaah batil hai. Laikin yeh kar sakta hai keh baaqi manda muddat oose bakhashne aur oos ke b'ad aqd daa'emee kare.

Nigaah daalne ke Ehkaam

2392. Mard ke liye namahram auraton ka jism dekhna aur oosi tarah oon ke baalon ko dekhnaa khawah lazzat ke iraade se ho ya oos ke baghair, haraam mein mubtela hone ka khauf ho ya na ho, haram hai. Oon ke chehre par nigaah daalna aur hathhon ko kalayiyon tak dekhna agar lazzat ke iraade se ho ya haraam mein mubteka hone ka khauf ho to haraam hai. Balkeh ehtayaat-e-mustahab yeh hai keh lazzat keiraade se ho ya haraam mein mubtela hone ka khauf na ho tab bhi na dekhe. Isii tarah aurat jliye namahram mard ke jism par nazr daalna lazzat ke iraade se aur haraam mein mubtela hone ke khauf ke sathh haraam hai balkeh ehtayaat-e-waajib ki bina par lazzat ka iraada haram mein mubtela honeka khauf na ho tab bhi nigaah nahin daalni chahiye. Laikin agar aurat mard ke jism ke oon hisso maslan sar, dono hathhon aur dono pindaliyon par jinhein amuman mard nahin chhipaate, lazzat ke iraade ke baghair nazr dale aur haraam mein mubtela hone ka khauf na ho to koi ishkaal nahin hai.

2393. Woh be parda auratein joonhein agar koi parda karne ke liye kahe to oos ko ehmiyat na deti hon, oon ke badan ki taraf dekhne mein agar lazzat ka qasd aur haraam mein mubtela hone ka khauf na ho to koi ishkaal nahin. Iis hukm mein kaafir aur ghair kaafi auraton mein koi farq nahin hai. Isii tarah oon ke hathh, chehre aur jism ke deegar hisse jinhein chhipaane ki woh a'adi nahin, koi farq nahin hai.

2394. Aurat ko chahiye keh woh – a'lawa chehre aur hathhon ke – sar ke baal aur apna badan namahram mard se chhipaaye aur ehtayaat-e-laazim yeh hai keh apna badan aur sar ke baal oos

ladke se bhi chhipaaye jo abhi baaligh to na hua ho laikin (itnaa samajhdaar ho keh) ache aur bude ko samajhta ho aur ehtemaal ho keh aurat ke badan par oos ki nazr padne se oos ki jinsi khawahish bedaar ho jaayegi. Laikin aurat namahram mard ke saamne chehra aur kalayiyon tak hathh khule rakh sakti hai laikin iis suurat mein keh haraam mein mubtela hone ka khauf ho ya kisi mard ko (hathh aur chehra) dikhana haraam mein mubtela karne ke iraade se ho to oon dono suutaron mein oon ko chhipana waajib hai.

2395. Baaligh musalmaan ki sharmgaah dekhnaa haraam hai. Agarche aisaa karna shish eke peechhe se ya aayena mein ya saaf shafaaf waghairah mein hi kyoon na ho. Aur ehtayaat-e-laazim ki bina par yahi hukm hai kaafir aur oos bachche ki sharmgaah ki taraf dekhne ka jo ache bure ko samajhta ho, albatta miyan biwi ek dusre ka poora badan dekh sakte hain.

2396. Jo mard aur aurat aapas mein mahram hon agar woh lazzat ki niyyat na rakhte hon aur haraam mein mubtela hone ka khauf na ho to sharmgaah ke a'lawa ek dusre ka badan dekh sakte hain.

2397. Ek mard ko dusre mard ka badan lazzat ki niyyat se nahin dekhna chahiye. Aur ek aurat ka dusri aurat ke badan ko lazzat ki niyyat se dekhna bhi haraam hai. Isii tarah agar haraam kaam mein mubtela hone ka khauf ho to bhi dono suuraton mein haraam hai.

2398. Agar koi mard kisi namahram aurat ko pehchanta ho agar woh beparda auraton mein se na ho to ehtayaat-e-waajib ki bina par oose oos ki tasweer nahin dekhna chahiye. Bajuz chehre aur haathhon ke oonhein dekhna baghair lazzat ho aur haraam mein mubtela hone ka khauf na ho to jayez hai.

2399. Agar laazim ho keh ek aurat kisi dusri aurat ka ya apne shauhar ke a'lawa kisi mard ka anemaa kare ya oos ki sharmgaah ko dho kar paak kare to zaruri hai keh apne hathh par koi cheez lapeit le takeh oos ka hathh oos (aurat ya mard) ki sharmgaah par na lage. Agar ek mard kisi dusre mard ya apni biwi ke a'lawa kisi dusri aurat ka anemaa karna chaahe ya oos ki sharmgaah ko dho kar paak karna chaahe to oos ke liye bhi yahi hukm hai.

2400. Agar aurat namahram mard se apni kisi aisii beemari ka a'laaj karaane par majboor ho jis ka a'laaj woh behtar taur par kar sakta ho to woh aurat oos namahram mard se apna a'laaj kara sakti hai. Choonanche woh mard a'laaj ke silsile mein oos ko dekhne ya oos ke badan ko hathh lagaane par majboor ho to (aisaa karne mein) koi ishkaal nahin. Laikin agar woh mehaz dekh kar A'laaj kar sakta ho to zaruri hai keh oos aurat ke badan ko hathh na lagaaye aur agar sirf hathh lagaane se a'laaj kar sakta ho to phir zaruri hai keh oos aurat par nigaah na dale.

2401. Agar insaan kisi shakhs ka a'laaj karne ke silsile mein oos ki sharmgaah par nigaah daalne par majboor ho to ehtayaat-e-waajib ki bina par oose chahiye keh aayena saamne rakhe aur oos mein dekhe. Laikin agar sharmgaah par nigaah daalne ke a'lawa koi chaara na ho to (aisaa karne mein) koi ishkaal nahin. Agar sharmgaah par nigaah daalne ki muddat aayena mein dekhne ki muddat se kam ho tab bhi yahi hukm hai.

Mukhtalif az dawaaji massa'el

2402. Jo shakhs shaadi na karne ki wajah se haraam "fa'el" mein mubtela hota ho oos par waajib hai keh shaadi kare.

2403. Agar mard nikaah mein maslan yeh shart a'yed kare keh aurat koonwaari ho aur nikah ke b'ad m'aloom ho keh koonwaari nahin hai to mard nikaah ko faskh kar sakta hai. Aur agar faskh na kare ya koonwaari hone ki shart na rakhi ho albatta oose koonwaari samajh kar shaadi ki ho to bakrah ya ghair bakrah ke mehar missal ki nisbat se muqarrar karda mehar mein jo farq ho to kam kar sakta hai. Aur agar mehar adaa kar diya ho to (farq ki raqam) waapas le le. Maslan agar oos ka mehar sau rupayye eakha ho aur oos jaisii bakrah aurat mehar ka assi rupaaye ho aur ghair

bakrah ka sathh ruppaye ho to oos ke 100 rupaaye mehar mein se ¼ ka jo farq hai woh kam ho jayenge.

2404. Namahram mard aur aurat ka kisi aisii jagah sathh hona jahan aur koi na ho jabkeh oos suurat mein bbahekne ka andeshaa bhi ho haraam hai chaahe woh jagah aisii ho jahan koi aur bhi aa sakta ho, albattaagar bahekne ka andesha na ho to koi ishkaal nahin hai.

2405. Agar koi mard, aurat ka mehar nikaah mein mo'yyin kar de aur oos ka iraada yeh ho keh woh mehar nahin degaa to (oos se nikaah nahin tuutta balkeh) sahi hai. Laikin zaruri hai keh mehar adaa kare.

2406. Jo musalmaan islaam se kharij ho jaaye aur kufr ikhtayaar kare to oose "martad" kahte hain aur martad ki do qismein hain: (1) martad fitri (2) martad mili.

Martad fitri woh shakhs hai jis ki paidayish ke vaqt oos ke maa baap dono yaoon mein se koi ek musalmaan ho aur woh khud bhi ache bure ko pehchanne ke b'ad musalmaan hua ho laikin b'ad mein kaafir ho jaaye aur martad mili oos ke bara'ks hai (y'ani woh shakhs hai jis ki paidayish ke vaqt maa baap dono ya oon mein se ek bhi musalmaan na ho).

2407. Agar aurat shaadi ke b'ad martad ho jaaye khawah martad mili ho khawah fitri to oos ka nikaah tuut jata hai aur agar oos ke shauhar ne oos ke sathh jama' na kiya ho to oos ke liye I'ddat nahin hai. Agar jama' ke b'ad martad ho ho jaaye agarche yaesa ho chuuki ho ya bohut chhoti jo tab bhi yahi hukm hai. Laikin agar oos ki umr haiz aane waali auraton ke barabar ho to oose chahiye keh oos tariqe ke mutaabiq jis ka zikr talaaq ke ehkaam mein kiya jaayega I'ddat guzaare. Aur agar I'ddat ke dauraan musalmaan ho jaaye to oos ka nikaah (nahin tuutta y'ani) baaqi rahta hai. Agarche behtar yeh hai keh miyan biwi ikathhe rahna chahen to dobaarah nikiaah padh len aur agar a'laidgi karna chahein to talaaq de di jaaye. Aur massle ki rau se yaesa oos aurat ko kahte hain jis ki umr 50 saal ho gayee ho aur umr raseeda hone ki wajah se oose haiz na aataa ho aur woh dobaarah aane ki umeed bhi na ho.

2408. Agar mard aqd ke b'ad martad fitri ho jaaye to oos ki biwi oos par haraam ho jaati hai. Agar oos ne biwi se hambistari ki aur aurat yaesa ya umr mein chhoti na ho to aurat ko chahiye keh I'ddat wafaat ke barabar I'ddat rakhe jis ka zikr ehkaam talaaq mein bayaan hoga. Balkeh ehtayaat-e-waajib ki bina par agar hambistari na ki ho ya aurat yaesa ho ya kam umr ho tab bhi I'ddat wafaat ke barabar I'ddat guzaare. Agar I'ddat ke dauraan mard taubaa kar le aur dono ikatthhe zindagi guzaarna chaahen to ehtayaat-e-waajib ki bina par dobaarah aqd padhen aur juda hona chahen to talaaq de jaaye.

2409. Agar koi mard shaadi ke b'ad martad mili ho jaaye to oos ka nikaah toot jata hai. Lehaaza agar oos ne apni biwi ke sathh jama' na kiyaho yaw o aurat yaesa ya bohut chhoti ho to oos ke liye I'ddat nahin hai. Aur agar woh mard jama' ke b'ad martad ho aur oos ki biwi oon auraton ki hamsin ho jinhein haiz ataa hai to zaruri hai keh woh aurat talaaq ki I;'ddat ke barabar jis ka zikr talaaq ke ehkaam mein aayega I'ddat rakhe. Aur agar oos ki I'ddat khatm hone se pahle oos ka shauhar musalmaan ho jaaye to oos ka nikaah qayem rahta hai.

2410. Agar aurat aqd mein mard par shart a'yed kare keh oose (ek mo'yyin) shahar se baahar na le jaaye aur mard bhi iis shart ko qabool kar le to zaruri hai keh oos aurat ko oos ki razaamandi ke baghair oos shahar se baahar na le jaaye.

2411. Agar kisi aurat ki pahle shauhar se ladki ho to b'ad mein oos ka dasra shauhar oos ladki ka nikaah apne oos ladke se kar sakta hao jo oos biwi se na ho. Neiz agar kisi ladki ka nikaah apne bete se kare to b'ad mein oos ladki ki maa se khud bhi nikaah kar sakta hai.

2412. Agar koi aurat zina se haamla ho jaaye to bachche ko giraana oos ke liye jayez nahin hai. Sirf oosi suurat mein jayez hai keh oos ka baaqi rahna aurat ke liye zarar ka ba'es ho jo naqabil bardasht ho, ya oose zayada takleef uthhani pade to oos auurat mein bachche mein jaan aane se

pahle isqaat haml jayez hai albatta oos ki deit denge. Laikin bachche mein jaan aane ke b'ad kisi bhi suurat mein haml saqit karana jayez nahin.
2413. Agar koi mard kisi aisii auart se zina kare jo shauhar daar na ho aur kisi dusre ki I'ddat mein bhi na ho, choonanche b'ad mein oos aurat se shaadi kar le aur koi bachcha paida ho jaaye to iis suurat mein keh jab woh yeh na jante honk eh bachcha halaal nutfe se hai ya haraam nutfe se to woh bachcha halaal zada hai.
2414. Agar kisi mard ko yeh m'aloom ho keh ek aurat I'ddat mein hai aur woh oos se nikaah kar le to agar aurat ko bhi iis baare mein ilm na ho aur oon ke yahan bachcha ho to woh halaal zada hoga aur shara'an oon dono ka bachcha hoga. Laikin agar aurat ko ilm thha keh woh I'ddat mein hai aur I'ddat ke dauraan nikaah karna jayez nahin hai to shar'an woh bachcha baap ka hoga aur behar suurat iin dono ka nikaah batil hai aur jaise keh bayaan ho chuuka hai keh woh dono hameshaa ke liye ek dusre par haraam hai.
2415. Agar koi aurat yeh kahe keh main yaesa hoon to oos ki yeh baat qabool nahin karni chahiye laikin agar kahe keh main shahuhardaar nahin hoon to oos ki baat maan lenaa chahiye. Laikin agar woh ghalt bayaan ho to oos suurat mein ehtayaat-e-waajib yeh hai keh oos ke baare mein tahqeeq ki jaaye.
2416. Agar koi shakhs kisi aisii aurat se shaadi kare jis ne kaha ho keh meraa shauhar nahin hai aur b'ad mein koi aur shakhs kahe keh woh aurat oos ki biwi hai to jab tak shar'an yeh baat saabit na ho jaaye keh woh sach kah rahi hai oos ki baat ko qabool nahin karna chahiye.
2417. Jab tak ladka ya ladki do sala ke na ho jayen baap, bachchon ko oon ki maa se juda nahin kar sakta iis liye keh bachche ki nigehdasht aur baap dono ke zimme hai aur ahuut aur ulaa yeh hai keh bachche ko saat saal yak oos ki maa se juda na kare.
2418. Agar rishta mangne waale ki diyanat daari aur ikhlaaq pasandida hon to behtar yeh hai keh (rishta dene se) inkaar na kare. Paighambar akram sallallaho alaihe wa a'lehi wassallam se riwaayat hai keh "jab bhi koi shakhs tumhari ladki ka rishta mangne aaye to tumhe oos shakhs ke ikhlaaq aur diyaanat daari pasand ho to apni ladki ki shaadi oos se kar do. Agar aisaa na karoge to zameen par bohut bada fitna phail jaayega. "
2419. Agar biwi shauhar ke sathh iis shart par apne mehar ki massaalihat kare (y'ani oose mehar bakhsh de) keh woh dusri shaadi nahin karega to waajib hai keh woh dusri shadi nakare. Aur biei bhi mehar lene ka koi haq nahin rakhti.
2420. Waladul zina agar shaadi kar le aur oos ke yahan bachcha paidaaho to halaal zada hai.
2421. Agar koi shakhs ramadhan ke rozon mein ya aurat ke ha'ez hone ki haalat mein oos se jama' kare to goonaahgaar hai laikin agar oos jama' ke natije mein oon ke yahan koi bachcha paida ho to woh halaal zaada hai.
2422. Jis aurat ke yaqeen ho keh oos ka shauhar safar mein faur ho gaya hai agar woh wafaat ki I'ddat jis ki I'ddat ehkaam talaaq mein bayaan hogi guzaarne ke b'ad shaadi kare aur b'ad azan oos ka pahla shauhar safar se (zinda salaamat) waapas aa jaaye to zaruri hai keh dusre shauhar se juda ho jaaye aur woh pahle shauhar par halaal hogi. Laikin agar dusre shauhar ne oos se jama' kiya ho to aurat ke liye zaruri hai keh I'ddat wait shuba jo I'ddat talaaq ke barabar hai poori kare. Iis dauraan pahle shauhar ko aurat se jama' nahin karna chahiye. Albatta dusri tamaam lazzatein haasil karna jayez hain. Aur oos ka naan nafqa pahle shauhar ke zimme hai. Aur dusre shauhar ko chahiye keh oos jaisii suraton ke mehar ke mutabiq oose mehar adaa kare.

Dhoodh pilaane ke Ehkaam

2423. Agar koi aurat ek bachche ko iin shara'et ke sathh dhoodh pilaaye jo massla 2433 mein bayaan hongi to woh bachcha agar ladka hai to darj zeil auraton ka aur ladki hai to darj zeil mardon ki mahram ban jati hai:

(1) Khud woh aurat aur oose raza'ee maa kahte hain
(2) Aurat ka shauhar jo keh dhoodh ka maalik hai aur oose raza'ee baap kahtehain.
(3) Oos aurat ka baap aur maa aur jahan tak yeh silsila uupar chala jaaye chaahe woh oos aurat ke raza'ee maa baap hi kyoon na hon.
(4) Oos aurat ke woh bachche jo paida ho chuuke hon ya b'd mein paida hon.
(5) Oos aurat ki aulaad ki aulaad khawah yeh silsila jis qadr bhi neeche chala jaaye aur aulaad ki wajah se haqiqi ho khawah raza'ee.
(6) Oos aurat ki bahenein aur bhayee khawah woh raza'ee hi kyoon na hon y'ani dhoodh peene ki wajah se oos aurat ke behan aur bhayee ban gaye hon.
(7) Oos aurat ka chacha aur phoophi khawah woh raza'ee kyoon na hon.
(8) Oos aurat ka mamoo aur khala khawah woh raza'ee hi kyoon na hon.
(9) Oos aurat ke oos shauhar ki aulaad jo dhoodh ka maalik hai – aur jahan tak bhi yeh silsila jis qadr bhi neeche chala jaaye agarche oos ki aulaad raza'ee hi kyoon na ho.
(10) Oos aurat ke oos shauhar ke maa baap (jo dhoodh ka maalik) aur jahan tak bhi yeh silsila uupar chala jaaye.
(11) Oos aurat ke oos shauhar ke behan bhayee (jo dhoodh ka maalik) khawah oos ke raza'ee behan bhayee hi kyoon na ho.
(12) (Oos aurat ka jo) shauhar (dhoodh ka maalik hai oos) ke chacha aur phoophiyaan aur mamoon aur khalayen – aur jahan tak yeh silsila uupar chala jaaye aur agarche woh raza'ee kyoon na hon.

Aur iin ke a'lawa kayee aur log bhi dhoodh pilaane ki wajah se mahram ban jaate hain jin ka zikr aayenda massa'el mein kiya jaayega.

2424. Agar koi aurat kisi bachche ko iin shara'et ke sathh dhoodh pilaaye jin ka zikr massla 2433 mein kiya gaya jaayega to oos bachche ka baap oon ladkiyon se shaadi nahin kar sakta jihein woh aurat janam de aur agar oon mein se koi ek ladki abhi ooski biwi ho to oos ka nikaah toot jaayega. Albatta oos ka oos aurat ki raza'ee ladkiyon se nikaah karna jayez hai. Agarche ehtayaat-e-mustahab yeh hai keh oon ke sathh bhi nikaah na kare. Neiz ehtayaat-e-waajib ki bina par woh oos aurat ke oos shauhar ki betiyon se nikaah nahin kar sakta jo dhoodh ka maalik hai agarche woh oos shauhar ki raza'ee betiyaan hon lehaaza agar oos vaqt oon mein se koi aurat oos ki biwi ho to ehtayaat-e-waajib ki bina par oos ka nikaah toot jatahai.

2425. Agar koi aurat kisi bachche ko iin shara'et ke sathh dhoodh pilaaye jin ka zikr massla 2433 mein kiya gaya jaayega to oos aurat ka woh shauhar jo keh dhoodh ka maalik hai oos bachche ki behanon ka mahram nahin ban jata meiz shauhar ke rishtedaar bhi oos bachche ke bhayee behano ke mahram nahin ban jaate.

2426. Agar koi aurat ek bachche ko dhoodh pilaaye to woh oos ke bhayeeon ki mahram nahin ban jaati aur oos aurat ke rishtedaar bhi oos bachche ke bhayee behano ke mahram nahin ban jaate.

2427. Agar koi shakhs oos aurat se jis ne kisi ladki ko poora dhoodh pilaaya ho nikaah kar le aur oos se majam'at kar le to phir woh oos ladki se nikaah nahin kar sakta.

2428. Agar koi shakhs kisi ladki se nikaah kar le to phir woh oos aurat se nikaah nahin kar sakta jis ne oos ladki ko poora dhoodh pilaaya ho.

2429. Koi shakhs oos ladki se nikaah nahin kar sakta jise oos shakhs ki maa ya dadi ne poora dhoodh pilaaya ho. Neiz agar koi shakhs ke baap ki biwi ne (y'ani oos ki sauteli maa ne) oos

shakhs ke baap ka mamluuka dhoodh kisi ladki ko pilaaya ho to woh shakhs oos ladki se nikaah nahin kar sakta. Aur agar koi shakhs kisi dhoodh peeti bachchi se nikaah kare aur oos ke b'ad ooski maa ya dadi ya oos ki sauteli maa oos bachchi ko dhoodh pilaa de to nikaah toot jata hai.

2430. Jis ladki ko kisi shakhs ki behan ya bhabhi ne bahyee ke dhoodh se poora dhoodh pilaaye ho woh shakhs oos ladki se nikaah nahin kar sakta. Jab kisi shakhs ki bhanji, bhatiji ya behan ya bhayee ki biwi ya nawaasi ne oos bachchi ko dhoodh pilaaya ho tab bhi yahi hukm hai.

2431. Agar koi aurat apni ladki ke bachche ko (y'ani apne nawaasi ko) poora dhoodh pilaaye to woh ladki apne shauhar par haraam ho jaayegi. Agr koi aurat oos bachche ko dhoodh pilaaye jo oos ki ladki ke shauhar ki dusri biwi se paida ho tab bhi yahi hukm hai. Laikin agar koi aurat apne bachche ko (y'ani apne pote ya poti ko) dhoodh pilaaye to oos ke bete ki biwi (y'ani dhoodh pilaayee ki bahu) jo oos shoosh peete bachche ki maa hai apne shauhar par haraam nahin hogi.

2432. Agar kisi ladki ki sauteli maa oos ladki ke shauhar ke bachche ko oos ladki ke baap ka mamluuka dhoodh pilaa de to oos ehtayaat ki bina par jis ka zikr massla 2424 mein kiya gaya hai, woh ladki apne shauhar par haraam ho jaati hai, khawah woh bachcha oos ladki ke batan se ya kisi dusri aurat ke batan se ho.

2433. Bachche ko dhoodh pilaana jo mahram banne ka sabab banta hai, ii ski aathh shartein hain:

(1) Bachcha zinda aurat ka dhoodh peeye. Pas agar woh mard aurat ke pistaan se dhoodh ki kuchh miqdaar peeye jo raza'at mein mo'tbar hai to oos ka koi faida nahin.
(2) Aurat ko dhoodh shara'ee (jayez) zachgi ki wajah se ho, agar che wait shaba ki bina par ho. Pas agar farzan dhoodh baghair zachki ke uutara ho ya aise bachche ka dhoodh ho jo waladul zina ho kisi dusre bachche ko diya jaaye to oos dhoodh ke tausat se woh dasra bachcha kisi ka mahram nahin banegaa.
(3) Bachcha pistaan se dhoodh peeye. Pas agar dhoodh oos ke halq mein uoondela jaaye to bekaar hai.
(4) Dhoodh khaalis ho aur kisi dusri cheez se mila hua na ho.
(5) Dhoodh ki jo miqdaar maujib hurmat hai woh dhoodh ek shauhar ka ho. Pas dhoodh pilaane waali aurat ko agar talaaq ho jaaye aur woh aqd saani kar le aur dusre shauhar se haamla ho jaaye aur bachcha janne tak oos ke pahle shauhar ka dhoodh oos mein baaqi ho maslan agar oos bachche ko khud bachcha janne se qabl pahle shauhar ka dhoodh aathh dafa' aur waza' haml ke b'ad dusre shauhar ka dhoodh saat dafa' pilaaye to woh bachcha kisi ka bhi mahram nahin banta.
(6) Bachcha kisi beemari ki wajah se dhoodh ki qay na kar de aur agar qay kar de to bachcha mahram nahin banta.
(7) Bachche ko iis qadr dhoodh pilaaya jaaye keh oos ki haddiyaan oos dhoodh se mazboot hon aur badan ka gosht bhi ooa se bane aur agar iis baat ka ilkm na ho keh iis qadr dhoodh peeya hai ya nahin to agar oos ne ek din aur ek raat ya 15 dafa' pait bhar kar dhoodh peeya ho tab bhi (mahram banne ke liye) kaafi hai jaisa keh oos ka (tafseeli) zikr aane waale massle mein kiya jaayega. Leikin agar iis baat ka ilm ho keh oos ki haddiyaan oos dhoodh se mazboot nahin huyeen aur oos ka gosht bhi oos se nahin bana hala na keh bachche ne ek din aur ek raat ya 15 dafa' dhoodh peeya ho to oos jaisii suurat mein ehtayaat-e-waajib ka khayaal karna zaruri hai. Pas mazkura mawarid mein shaadi na ki jaaye aur mahramana nazr bhi na daali jaaye.
(8) Bachche ki do saal mukammil na huye hon aur agar oos ki umr do saal hone ke b'ad oose dhoodh pilaaya jaaye to woh kisi ka mahram nahin hota balkeh agar misaal ke

taur par woh umr ke do saal mikammil hone se pahle aathh dafa' aur oos ke b'ad saat dafa' dhoodh peeye tab bhi woh kisi ka mahram nahin banta. Laikin agar dhoodh peelane waali aurat ko bachcha jane huye do saal se zayada muddat guzar chuuki ho aur oo ka dhoodh abhi baaqi ho aur woh kisi bachche ki dhoodh pilaaye to woh bachcha oon logo ka mahram ban jata hai jin ka zikr uupar kiya gaya hai.

2434. Sabqa massle mein yeh wazeh ho gaya hai keh mahramiyat ka sabab banne waale dhoodh ke teen mayyar hain:

(1) Bachcha dhoodh iis had tak peeye keh a'rfan woh gosht banne aur haddiyaan mazboot hone ka sabab ho. Iis ke liye shart yeh hai keh oos ka daaromadaar sirf dhoodh par ho, dhoodh ke sathh koi aur ghaza na ho. Laikin agar m'amooli miqdaar mein ghaza khaaye to koi harj nahin. Agar bachcha do auraton ka dhoodh peeye aur b'az gosht aur haddiyaan ek se ban kar mustehkam ho jaayen aur b'az dusri ke dhoodh se to dono mahran hongi aur oos ki raza'ee maa ban jayengi. Agar dono ke dhoodh se mil kar bane hon to hurmat saabit nahin hogi.

(2) Vaqt ka hisaab: Ii ski shart yeh hai keh bachcha 24 ghante ke dauraan aur kisi ka dhoodh na peeye laikin agar paani peeye, dawayee de jaaye ya itnii kam ghaza kaaye keh yeh na kaha sa sake keh 24 ghanton ke dauraan ghaza khayee hai to koi ishkaal nahin. Aur zaruri hai keh poore din raat mein jab bhi bachche ko ghaza ki zarurat pade to dhoodh peeye jis se oose na rokaa jaaye balkeh ehtayaat-e-waajib ki bina par zaruri hai keh 24 ghante ka hisaab oos vaqt se shuru' kiya jaaye jab bachcha bhooka ho aur oos ka aakhir woh vaqt shuumaar kiya jaaye keh bachcha seer ho.

(3) T'adaad ka hisaab: Oos ke liye shart yeh hai keh 15 martaba musalsal oosi aurat ka dhoodh peeye aur oos 15 dafa' ke dauraan aur kisi ka dhoodh na peeye. Laikin oos dauraan ghaza khana zarar ka ba'es nahin aur 15 dafa' ke dauraan vaqt ka faasla ho jaaye to bhi koi zarar nahin laikin zaruri hai keh har dafa' mein bachcha seer ho kar dhoodh peeye. Woh iis tarah keh bachche ko bhook lagi ho aur woh mukaamil seer hone tak baghair waqfe ke dhoodh peeye. Laikin agar dhoodh peen eke dauraan zara ruuk jaaye ya sabr kare keh chhatti moonh mein lene se seer hone tak ko ek dafa' shuumaar kiya ja sake to koi ishkaal nahin.

2435. Agar koi aurat apne shauhar ka dhoodh kisi bachche ko pilaaye b'ad azaan aqd saani kar le aur dusre shauhar ka dhoodh kisi aur bachche kp pilaaye to woh dono bachche aapas mein mahram nahin hain.

2436. gar koi aurat apne shauhar ka dhoodh kayee bachcho ko pilaaye to woh sab aapas mein neiz oos shauhar ke aur oos aurat ke jis ne oonhein dhoodh pilaaya ho mahram ban jaate hain.

2437. Agar kisi shakhs ki kayee biwiyaan hon aur oon mein se har ek oon shara'et ke sathh jo bayaan ki gayee hain eke k bachche ko dhoodh pilaa de to woh sab bachche aapas mein aur oos aadmi aur oon tamaam auraton ke mahram ban jaate hain.

2438. Agar kisi shakhs ki do biwiyon ko dhoodh uutarta ho aur oon mein ek kisi bachche ko misaal ke taur par aathh martaba aur dusri saat martaba dhoodh pilaaye to woh bachchakisi ka bhi mahram nahin banta.

2439. Agar koi aurat ek shauhar ka poora dhoodh ek ladke aur ek ladki ko peelaye to oos ladki ke behan bhayee oos ladke ke behan bhayeeon ke mahram nahin ban jaate.

2440. Koi shakhs apni biwi ki ijaazat ke baghair oon auraton se nikaah nahin kar sakta jo dhoodh peene ki wajah se oos ki biwi ki bhanjiyan ya bhatijiyan ban gayee hon. Neiz agar koi shakhs kisi naabaligh ladke se aghlaam kare to woh oos ladke ki raza'ee beti, behan, maa aur dadi se y'ani oon auraton se jo dhoodh peene ki wajah se oos ki beti, behan, maa (aur dadi) ban

gayee hon nikaah nahin kar sakta. Ehtayaat-e-waajib ki bina par iis suurat mein jabkeh kuatat karne wala baaligh na ho ya luatat karaane wala baligh ho tab bhi yahi hukm hai.

2441. Jis Jis aurat ne kisi shakhs ke bhayee ko dhoodh pilaaya ho woh oos shakhs ki mahram nahin ban jaati.

2442. Koi aadmi do behano se (ek vaqt mein) nikaah nahin kar sakta agar chew o raza'ee behanein hi hon y'ani dhoodh peene ki wajah se ek dusre ki behan ban gayee hon. Aur agar woh auraton se shaadi kare aur b'ad mein oose pata chale keh woh aapas mein behan hain to iis suurat mein jabkeh oon ki shaadi ek hi vaqt mein huyee ho azhar yeh hai keh dono nikaah batil hain aur agar nikaah ek hi vaqt mein na hua ho to pahla nikaah sahi hai aur dasra batil.

2443. Agar koi aurat apne shauhar ka dhoodh oon ko pilaaye jin ka zikr zeil mein kiya gaya hai to oos aurat ka shauhar oos par haraam nahin hota:

(1) Apne bhayee aur behan ko.
(2) Apne chacha, phoophi, maamo aur khala aur oon ki aulaad ko.
(3) Apne poto ko agarche nawaason kodhoodh pilaane ki suurat mein oos ki ladki apne shauhar par haraam ho jaayegi.
(4) Apne bahtije aur bhanje ko.
(5) Apne dewar aur nanad ko.
(6) Apne shauhar ke bhanje aur bhatije ko.
(7) Apne shauhar ke chacha, phoophi, mamoo aur khala ko.
(8) Apne shauhar ke dusri biwi se pote aur potiyon ko.

2444. Agar koi aurat kisi shakhs ki phoophi zaad ya khala zaad behan ko dhoodh pilaaye to woh (aurat) oos shakhs ki mahram nahin banti.

2445. Jis shakhs ki do biwiyan hon agar oos ki ek biwi dusri ke chach ke bete ko dhoodh pilaaye to jis aurat ke chacha ke bete ne dhoodh peeya hai woh apne shauhar par haraam nahin hogi.

Dhoodh pilaane ke a'daab

2446. Bachche ko dhoodh pilaane ka pahla haq oos ki apni maa ko haasil hai. Baap ko yeh haq haasil nahin keh bachche ko dhoodh pilaane ke liye kisi aurat ke hawaale kare. Magar yeh maa dhoodh pilaane ki ujrat talab kare aur baap kisi dusri aurat ko dhuoondhe jo muft dhoodh pilaaye ya maa se kam ujrat par raazi ho. Iis suurat mein baap bachche ko kisi daya ke supurd kar sakta hai. Laikin iis ke b'ad agar maa oose qabool na kare aur apni marzi se bachche ko dhoodh pilaaye to ujrat talab nahin kar sakti.

2447. Mustahab hai keh bachche ke liye jo daya moontakhab ki jaaye woh musalmaan ho, a'qil ho, jismaani, ikhlaaqi aur nafsiyaati a'itbaar se pasandida safaat ki maalik ho. Yeh moonaasib nahin keh daya kaafir, ahmak, budhii ya badsuurat ho. Yeh makruh hai keh kisi aisii daya ko moontakhab kiya jaaye ho zina zaadi ho ya jis ka dhoodh aise bachche se ho jo haraam kaari se paida hua ho.

Dhoodh pilaane ke mukhtalif massa'el

2448. Auraton ke liye behtar hai keh woh har ek ke bachche ko dhoodh na pilaaye kioon keh ho sakta hai keh woh yeh yaad na rakh saken keh oonh one kis kis dhoodh pilaaya hai aur (mumkin hai keh) b'ad mein do mahram ek dusre se nikaah kar len.

2449. Mustahab hai keh bachche ko poore 21 mahine dhoodh pilaaya jaaye aur do saal se zayada dhoodh pilaana moonaasib nahin.

2450. Agar kisi dusre ke bachche ko dhoodh pilaane ki wajah se shauhar ka haq talf hota ho to aurat shauhar ki ijaazat ke baghair dhoodh nahin pilaa sakti.

2451. Agar kisi aurat ka shauhar ek sheer khawaar bachchi se nikaah kare aur woh aurat oos bachchi ko dhoodh pilaaye to ehtayaat-e-waajib ki bina par woh aurat apne shauhar par haraam abdi ho jaati hai. Aur ehtayaat ki bina par zaruri hai keh oose talaaq de de aur kabhi oos ke sathh shadi na kare. Agar dhoodh khud oosi shauhar ka hai to woh bachchi bhi oos ke liye haraam abdi ho jaati hai. Aur agar dhoodh aurat ke saabiq shauhar ka hai to ehtayaat ki bina par aqd baatil ho jata hai.

2452. Agar koi shakhs chaahe keh oos ki bhaabhi oos ki mahram ban jaaye to b'az fuqha ne farmaya hai keh oose chahiye keh kisi sheerkhawaar bachchi se misaal ke taur par do din ke liye muta' kar le aur oon dono mein oon shara'et ke sathh jin ka zikr massla 2433 mein kiya gaya hai oos ki bhaabhi oos bachchi ko dhoodh pilaaye takeh woh oos ki biwi ki maa ban jaaye. Laikin yeh hukm oos suurat mein jab bhaabhi bhayee ke mamlook dhoodh se oos bachchi ko pilaaye mehal ishkaal hai.

2453. Agar koi mard kisi aurat se shaadi karne se pahle kahe keh raza'at ki wajah se woh aurat mujh par haraam hai maslan kahe keh main ne oos auurat ki maa ka dhoodh piyaa hai to agar iis baat ki tasdeeq mumkin ho to oos aurat se shaadi nahin kar sakta. Aur agar woh yeh baat shaadi ke b'ad kahe aur khud aurat bhi oos baat ko qabool kare to oon ka nikaah batil hai. Lehaaza agar mard ne oos aurat se hambistari na ki ho ya ki ho, laikin hambistari ke vaqt aurat ko m'aloom ho keh woh oos mard par haraam hai to aurat kakoi mehar nahin aur agar aurat ko hambistari ke b'ad pata chale keh woh oos mard par haraam thhi to zaruri hai keh shauhar oos jaisii auraton ke mehar ke mutabiq oose mehar de.

2454. Agar koi aurat shaadi pahle kah de keh raza'at ki wajah se main oos mard par haraam hoon aur oos ki tasdeeq mumkin ho to woh oos mard se shaadi nahin kar sakti aur agar woh yeh baat shaadi ke b'ad kahe to oos ka kahna aisaa hi hai jaise keh mard shaadi ke b'ad kahe keh woh aurat oos par haraam hai aur oos ke mut'aliq hukm sabqa massle mein bayaan ho chuuka hai.

2455. Dhoodh pilaana jo mahram banne ka sabab hai do cheezon se saabit hota hai:

(1) Ek shakhs ya ek aisii jama'at ka khabar dena jis ki baat par yaqeen ya itminaan ho jaaye.
(2) Do a'adil mard oos ki gawaahi de laikin zaruri hai keh dhoodh pilaane ki shara'et ke baare mein bhi batayen maslan kahen keh ham ne falan bachche ko 24 ghante falan aurat ke pistaan se dhoodh peete dekha hai aur oos ne oos dauraan aur koi cheez bhi nahin khayee. Aur isii tarah oon baaqi shara'et ko bhi washgaaf alfaaz mein bayaan kare jin ka zikr massla 2433 mein kiya gaya hai. Albatta ek mard aur do auraton ya chaar auraton ki gawaahi se jo sab ke sab a'adil hon raza'at ka saabit hona mehal ishkaal hai is liye ehtayaat par a'mal kiya jaaye.

2456. Agar iis baat mein shak ho keh bachche ne itnii miqdaar mein dhoodh piyaa hai jo mahram banne ka sabab hai ya nahin peeta hai ya gumaan ho keh oos ne itnii miqdaar mein dhoodh peeya hai to bachcha kisi ka mahram nahin hota laikin behtar yeh hai keh ehtayaat ki jaaye.

Talaaq ke Ehkaam

2457. Jo mard apni biwi ko talaaq de oos ke liye zaruri hai keh baaligh aur a'aqil ho. Laikin das saal ka bachcha apni biwi ko talaaq de to oos ke baare mein ehtayaat ka khayaal rakhen aur isii tarah zaruri hai keh mard apne ikhtayaar se talaaq de. Aur agar oose apni biwi ko talaaq dene par majboor kiya jaaye to talaaq baatil hai. Aur yeh bhi zaruri hai keh woh shakhs talaaq ki niyyat rakhta ho lehaaza agar woh maslan mazaaq mein ya nashe ki haalat mein talaaq ka seghaa kahe to talaaq sahi nahin hai.

2458. Zaruri hai keh aurat talaaq ke vaqt haiz ya nafaas se paak ho aur oos ke shauhar ne oos paaki ke dauraan oos se hambistari na ki ho aur iin do sharton ki tafseel aayenda massle mein bayaan ki jayegi.

2459. Aurat ko haiz ya nafaas ki haalat mein teen suuraton mein talaaq dena sahi hai:

(1) Shauhar ne nikaah ke b'ad oos se hambistari na ki ho.

(2) M'aloom ho keh woh hamlaa hai aur agar yeh baat m'aloom na ho aur shauhar oose haiz ki haalat mein talaaq de de aur b'a mein shauhar ko pata chale keh woh hamlaa thhi to woh talaaq baatil hai aur ehtayaat ka khayaal rakhna beharhaal baehtar hai. Agarche dobarah talaaq dene se ho.

(3) Mard ghair haziri ya kisi bhi aur wajah se agarche apni biwi ki makhfi rakhne ke sabab yeh m'aloom na kar sakta ho keh woh haiz ya nafaas se paak hai ya nahin. Laikin iis suurat mein ehtayaat-e-waajib ki bina par zaruri hai keh mard intezaar kare takeh biwi se juda hone ke b'ad kam az kam ek mahinaa guzar jaaye oos ke b'ad oose talaaq de.

2460. Agar koi shakhs aurat ko haiz se paak samjhe aur oose talaaq de de aur b'ad mein pata chale keh woh haiz ki haalat mein thhi to oos ki talaaq batil hai magar darfarz mazkura agar shauhar oose haiz ki haalat mein samjhe aur talaaq de de aur b'ad mein m'aloom ho keh paak thhi to oos ki talaaq sahi hai.

2461. Jis shakhs ko ilm ho keh oos ki biwi haiz ya nafaas ki haalat mein hai agar woh biwi se juda ho jaaye massalan safar ikhtayaar kare aur oose talaaq dena chaahe to oose chahiye keh itnii muddat sabr kare jis mein oose yaqeen ho jaaye keh woh aurat haiz ya nafaas se paak ho gayee hai aur jab woh yeh jaan le keh aurat paak hai oose talaaq de sakta hai. Agar oose shak ho tab bhi yahi hukm hai iis laikin suurat mein gha'eb shakhs ki talaaq ke baare mein massla 2459 mein jo shara'et bayaan huyee hain oon ka khayaal rakhe.

2462. Jo shakhs apni biwi se juda ho agar woh oose talaaq dena chaahe to agar woh m'aloom kar sakta ho keh oos ki biwi haiz ya nafaas ki haalat mein hai ya nahin to agarche aurat ki a'adat ya oon dusri nishaaniyon ko jo shar'a mein mo'yyin hain dekhte huye oose talaaq de aur b'ad mein m'loom ho keh woh haiz ya nafaas ki haalat mein thhi to oos kit alaaq sahi nahin hai.

2463. Agar koi shakhs apni biwi se khawah haiz ki haalat mein ho ya paak ho hambistari kare aur phir oose talaaq dena chaahe to zaruri hai keh sabr kare hatta keh oose dobarah haiz aa jaaye aur phir woh paak ho jaaye. Lakin agar aisii suurat ko hambistari ke b'ad talaaq di jaaye jis ki umr nau saala se kam ho ya m'aloom ho keh woh haamla hai to oos mein koi ishkaal nahin aur agar aurat yaesa ho tab bhi yahi hukm hai. (yaesa ka matlab massla 2407 mein guzar chuuka hai).

2464. Agar koi shakhs aisii aurat se hambistari kare jo haiz aur nafaas se paak ho aur isii paak ki haalat mein oose talaaq de de aur b'ad mein oose m'aloom ho keh woh talaaq den eke vaqt haamla thhi to talaaq batil hai aur ehtayaat ka khayaal rakhna zaruri hai. Chaahe talaaq ki tajdeed ke zariye kyoon na ho.

2465. Agar koi shakhs aisii aurat se hambistari kare jo haiz aur nafaas se paak ho aur phir woh oose se juda ho jaaye maslan safar ikhtayaar kare lehaaza agar woh chaahe keh safar ke dauraan oose talaaq de aur oos ki paaki ya naapaaki ke baare mein na jaan sakta ho to zaruri hai keh itnii muddat sabr kare keh aurat ko oos paaki ke b'ad haiz aaye aur woh dobaarah paak ho jaaye. Aur ehtayaat-e-waajib yeh hai keh woh muddat ek mahine se kam na ho. Aur jo kuchh kaha gaya hai oos ki ra'aiyat rakhte huye talaaq de de iis ke b'ad m'aloom ho jaaye keh talaaq oos pahli paaki mein waq'e hai to koi ishkaal nahin.

2466. Agar koi mard apni biwi ko talaaq dena chahta ho jise paidayish taur par ya kisi beemaari ya bachche ko dhoodh pilaane ki wajah se ya dawa iste'maal karne ya kisi bhi wajah se haiz na

aata ho aur oos umr ki dusri auraton ko haiz aata ho to zaruri hai keh jab oos ne aisii aurat se jama' kiya ho oos vaqt oose teen mahine tak oos se jama' na kare aur b'ad mein oose talaaq de de.

2467. Zaruri hai keh talaaq ka segha sahi a'rbi mein lafz "Taaleqoon" ke sathh padha jaaye aur do a'adil mard oose suoone. Agar shauhar khud talaaq ka segha padhna chaahe aur misaal ke taur par oos ki biwi ka naam fatema ho to kahe: "Zaujatu muwak keli fatematu taaleqoon" ya oose mukhatib hokar kahe: "Ante taaleqoon" Aur agar mard a'rbi mein talaaq ka segha na padh sakta ho aur vakeel bhi na bana sake to woh jis zabaan mein chaahe har oos lafz ke zariye talaaq de sakta hai jo a'rbi lafz ke ham maane hai.

2468. Jis aurat se muta' kiya gaya ho (maslan ek saal ya ek mahine ke liye oos se nikaah kiya gaya ho) oose talaaq dene ka koi sawaal nahin. Iis ka aazaad hona oos baat par moonhasar hai keh muta' ki muddat khatm ho jaaye ya mard oose muddat bakhsh de maslan kahe: "Main ne muddat tujhe bakhsh di" aur kisi ko iis par gawaah qarrar dena aur oos aurat ka haiz se paak hona laazim nahin.

Talaaq ki muddat

2469. Jis ladki ki umr poori nau saal na huyee ho aur isii tarah jo aurat yaesa ho chuuki ho, oos ki koi muddat nahin hoti. Y'ani agarche shauhar ne oos se majam'at ki ho, talaaq ke b'ad woh fauran dasra shauhar kar sakti hai.

2470. Jis ladki ki umr poori nau saal na huyee ho aur isii tarah jo aurat yaesa na ho chuuki ho, oos ka shauhar oos se majam'at kare to agar woh oose talaaq de to zaruri hai keh woh (ladki ya aurat) talaaq ke b'ad I'ddat rake. Aur aisii aurat ki I'ddat jis ke do haiz ka dirmiyaani faasla teen maah se kam ho yeh hai keh jab oos ka shauhar oose paaki ki haalat mein talaaq de to woh itnii muddat sabr kare keh oose dobarah haiz aaye aur paak ho jaaye aur jo nahi oose teesri dafa' haiz aa jaaye to oos ki I'ddat khatm ho jayegi aur woh dasra nikaah kar sakti hai. Laikin agar shauhar aurat se majam'at karne se pahle oose talaaq de de to oos ke liye koi aurat nahin y'ani woh talaaq ke fauran b'ad dasra nikah kar sakti hai. Laikin agar shauhar ki mani oos ki sharmgaah mein daakhil huyee ho to oos suurat mein zaruri hai keh woh aurat I'ddat rakhe.

2471. Jis aurat ko haiz naa aata ho leikin oos ka sin oon auraton jaisa ho jin ko haiz ataa ho ya oose haiz ataa ho laikin oos ke do haiz ka dirmiyaani faasla teen maah ya oos se zayada ho, agar oos ka shauhar har majam'at karne ke b'ad oose talaaq de de to zaruri hai keh b'ad teen qamri mahine I'ddat rakhe.

2472. Jis aurat ki I'ddat teen mahine ho agar oose chaand ki pahli taareekh ko talaaq di jaaye to zaruri hai keh poore teen qamri mahine (y'ani jab chaand dekha jaaye oos vaqt se teen mahine tak) I'ddat rakhe. Aur agar oose mahine ke dauraan (kisi aur taareekh ko) talaaq di jaaye to zaruri hai keh oos mahine ke baaqi dono mein, oos ke b'ad aane waale do mahine aur chawthhe mahine ke itne din, jitney din pahle mahine se kam hin I'ddat rakhe takeh teen mahine mukammil ho jaayen. Maslan agar oose mahine ki 20th taareekh ko ghurub ke vaqt talaaq di jaaye aur yeh mahina tees(30) din ka ho to oos ki I'ddat ki akhiri taareekh chawthhe mahine ki bees(20) taareekh ghurub tak hai. Aur agar pahle mahina 29 roz ka ho to ehtayaat-e-waajib yeh hai keh chawthhe mahine ki 21 taarekh tak I'ddat rakhe takeh pahle mahine ke jitney din I'ddat rakhi hai oonhein milaakar dono ki t'adaad 30 ho jaaye.

2473. Agar haamla aurat ko talaaq di jaaye to oos ki I'ddat waza' haml ya isqaat haml tak hai. Lehaaza misaal ke taur par agar talaaq k eek ghante b'ad bahccha ho jaaye to iis suurat ki I'ddat khatm ho jaayegi. Laikin yeh hukm oos suurat mein hai jab woh bachcha shauhar ka shara'ee

beta ho. Lehaaza agar aurat zina se haamla huyee ho aur shauhar oose talaaq de to oos ki I'ddat bachche ki paida hone se khatm nahin hoti.
2474. Jis lakdi ne umr ke nau saal mukammil kar liye hon aur isii tarah jo aurat yaesa na ho, agar woh muta' kare to agar oos ka shauhar oos se majam'at kare aur oos aurat ki muddat tamaam ho jaaye ya shauhar oose muddat bakhsh de to zaruri hai keh woh I'ddat rakhe. Pas agar oose haiz aaye to zaruri hai keh do haiz ke barabar I'ddat rakhe aur nikaah na kare. Aur ek haiz I'ddat rakhna ehtayaat-e-waajib ki bina par kaafi nahin hai. Aur agar haiz na aaye to 45 din shauhar karne se ijtenaab kare. Aur haamla hone ki suurat mein oos ki I'ddat bachche ki paidayish ya isqaat hone tak hai. Agar che ehtayaat-e-mustahab yeh hai keh jo I'ddat waza' haml ya 45 din mein se zayada ho utni muddat ke liye I'ddat rakhe.
2475. Talaaq ki I'ddat oos vaqt shuru' hoti hai jab segha talaaq ka padhna khatm ho jata hai khawah aurat ko pata chale ya na chale keh oose talaaq ho gayee hai. Pas agar oose I'ddat (ke barabar muddat) guzarne ke b'ad pata chale keh oose talaaq ho gayee hai to zaruri hai keh woh dobarah I'ddat rakhe.

Wafaat ki I'ddat

2476. Agar koi aurat bewa ho jaaye aur agar woh haamla ho to qamri chaar mahine das din I'ddat rakhe. Y'ani shadi karne se ruuki rahe. Khawah woh (nau saal se) chhoti ho ya yaesa ya muta' kiya ho ya kaafir ho ya mutlaqa raje'a ki I'ddat mein ho ya shauhar ne oos se majam'at na ki ho, chaahe shauhar bachcha ya diwaana ho. Aur agar haamla ho to zaruri hai keh waza' haml tak I'ddat rakhe. Laikin agar chaar mahine aur das din guzarne se pahle bachcha paida ho jaaye to zaruri hai keh shauhar ki maut ke b'ad chaar mahine das din tak sabr kare aur iis I'ddat ko wafaat ki I'ddat kahte hain.
2477. Jo aurat wafaat ki I'ddat mein ho oos ke liye rang birange lebaas pehanna, surmaa lagana aur isii tarah dusre aise kaam karna jo zeenat mein shuumaar hote hain haraam hain laikin ghar se baahar nikalna haraam nahin hai.
2478. Agar aurat ko yaqeen ho jaaye keh oos ka shauhar mar chuuka hai (iis liye I'ddat wafaat rakhi) aur I'ddat ke guzarne ke b'ad dusri shaadi ki. Magar b'ad mein m'aloom hua keh shauhar b'a mein maraa hai aur aurat ne pahle shauhar ki zindagi mein ya oos ke I'ddat wafaat ke dauraan dusri shaadi ki hai to oose chahiye keh dusre shauhar se fauran alag ho jaaye aur ehtayaat-e-waajib ki bina par do I'ddat guzaare. Pas agar dusre shauhar ke sathh haamla ho to bachcha janne tak dusre shauhar ke sathh wait shabha ki I'ddat rakhe (jo talaaq ki I'ddat ke barabar hai) aur iis ke b'ad pahle shauhar ki I'ddat wafaat guzaare ya pahle I'ddat ki takmeel kare. Agar haamla na ho aur pahle shauhar ki wafaat dusre shauhar ke sathh majam'at se pahle huyee thhi to pahle I'ddat wafaat rakhe oos ke b'ad wait shabha ki I'ddat guzaare. Laikin majam'at pahle shauhar ki wafaat se pahle huyee thhi to oos ki I'ddat muqaddam hai.
2479. Jis aurat ka shauhar lapata ho ya lapata hone ke hukm mein ataa ho oos ki I'ddat wafaat shauhar ki maut ki itla' milne ke vaqt se shuru' hoti hai na keh shauhar ki maut ke vaqt se laikin iis hukm ka itlaaq oos aurat ke liye hona jo naabaligh ya paagal ho mehal ishkaal hai iis liye ehtayaat ka lehaaz rakhna waajib hai.
2480. Agar aurat kahe keh meri I'ddat khatm ho gayee hai to oos ki baat qaabil qabool hai magar yeh keh woh ghalat bayaan madhuur ho to oos suurat mein ehtayaat-e-waajib ki bina par oos ki baat qaabil qabool nahin hai. Maslan woh kahe keh mujhe ek mahine mein teen dafa' khoon ataa hai to oos baat ki tasdeeq nahin ki jaayegi magar yeh keh oos ki saheliyaan aur rishtedaar auratein iis baat ki tasdeeq kare keh oos ki haiz ki a'adat aisii hai thhi.

Talaaq bayen aur Talaaq raja'ee

2481. Talaaq bayen woh talaaq hai keh jis ke b'ad mard apni aurat ki taraf ruju' karne ka haq nahin rakhta y'ani yeh keh baghair nikah ke dobarah oose apni biwi nahin bana sakta aur oos talaqq ki chhe qismein hain:

(1) Oos aurat ko di gayee talaaq jis ki umr abhi nau saal na huyee ho.
(2) Oos aurat ko di gayee talaaq jo yaesa ho.
(3) Oos aurat ko di gayee talaaq jis ke shauhar ne nikaah ke b'ad oos se jama' na kiya ho.
(4) Teesri talaqq jis ki tafseel massla 2484 mein ayegii
(5) Khula' aur mubaaraat kit alaaq- iis ke ehkaam aage aa rahe hain.
(6) Haakim shara' ka oos aurat ko talaaq dena jis ka shauhar na oos ke akhraajaat bardasht karta ho na oose talaaq deta deta ho.

Aur iin talaaqon ke a'lawa jo talaaqein hain woh raja'ee hain jis ka matlab yeh hai keh jab tak aurat I'ddat mein ho shauhar oos se ruju' kar sakta hai.

2482. Jis shakhs ne apni aurat ko raja'ee talaaq di ho oos aurat ko ghar se nikaal dena jis mein woh talaaq dene ke vaqtmuqeem thhi haraam hai. Albatta b'az mauq'o par jin mein se ek yeh keh aurat zina kare to oose ghar se nikaal dene mein koi ihskaal nahin. Neiz yeh bhi haraam hai keh aurat ghair zaruri kaamon keliye shauhar ki ijaazat ke baghair oos ghar se baahar aaye. I'ddat ke dauraan aurat ke akhraajaat shauhar par waajib hain.

Ruju' karne ke Ehkaam

2483. Raja'ee talaaq mein mar do tariqon se aurat ki taraf ruju' kar sakta hai:

(1) Aisii baateib kar jin se pata chale keh oos se oose dobarah apni biwi bana liya hai.
(2) Koi kaam kare aur oos kaam se ruju' ka qasd kare aur jama' karne se ruju' saabit ho jata hai khawah oos ka qasd ruju' karne ka nab hi ho. Albatta bosa lene aur shahuut se hathh lagane se ruju' saabit hona mehal ishkaal hai. Aur ehtayaat-e-waajib ki bina par agar aisii suurat mein ruju' karne ka iraada na ho to zaruri hai keh dobaarah talaaq de de.

2484. Ruju' karne mein mard ke liye laazim nahin hai keh kisi ko gawaah banaye ya apni biwi ko (ruju' ke mut'aliq) itla' de balkeh agar baghair oos ke keh kisi ko pata chale woh khud ruju' kare to oos ka ruju' karna sahi hai. Laikin agar I'ddat khatm ho jaane ke b'ad mard kahe keh main ne I'ddat ke dauraan hi ruju' kar liya thha aur aurat oos ki tasdeeq na kare to laazim hai keh shauhar oos baat ko saabit kare.

2485. Jis mard ne aurat ko raja'ee talaaq di ho agar woh oos se kuchh maal le le aur oos se massalihat kar le keh ab tujh se ruju' na karoonga to agarche yeh massalihat durust hai aur mard par waajib hai keh ruju' na kare laikin oos se mard ke ruju' karne ka haq khatm nahin hota aur agar woh ruju' kar le to rishta azwaaj dobaarah baraqrrar ho jaayega.

2486. Agar koi shakhs apni biwi ko do dafa' talaaq de kar oos ki taraf ruju' kar le ya oose do dafa' talaaq de aur har talaaq ke b'ad oos se nikaah kare ya ek talaaq ke b'ad ruju' kar le aur dusri talaaq ke b'ad nikaah kare to teesri talaaq ke b'ad woh oos mard par haraam ho jaayegi. Laikin agar suarat teesri talaaq ke b'ad kisi dusre mard se nikaah kare to woh paanch sharton ke sathh pahle mard par halaal hogi y'ani woh oos aurat se dobaarah nikaah kar sakega.

(1) Dusre shauhar ka nikaah dayemi ho. Pas agar woh oos aurat se muta' kar le to oos mard se a'laidegi ke b'ad pahla shauhar oos se nikaah nahin kar sakta.
(2) Dasra shauhar jama' kare aur ehtayaat-e-waajib yeh hai keh jama' farj mein kare na keh dabr mein.
(3) Dasra shauhar oose talaaq de ya mar jaaye.

(4) Dusre shauhar ki talaaq ki I’ddat ya wafaat ki I’ddat khatm ho jaaye.
(5) Ehtayaat-e-waajib ki bina par dasra shauhar jama’ karte vaqt baaligh ho.

Talaaq Khula’

2487. Oos aurat ki talaaq ko jo apne shauhar ki taraf ma’el na ho aur oos se nafrat karti ho apna mehar ya koi aur maal oose bakhsh de takeh woh oose talaaq de de, talaaq khula’ kahte hain. Talaaq khula’ mein mot’bar hai keh aurat apne shauhar se iis qadr shaded nafrat karti ho keh oose wazifaa zaujiyat adaa na karne ki dhamki de.
2488. Jab shauhar khud talaaq khula’ ka segha padhna chaahe to agar oos ki biwi ka naam maslan fatema ho to a’uz lene ke b’ad kahe: “zaujati fatemato khala’tuha a’la ma badhalat” aur ehtayaat-e-mustahab ki bina par “faheya taaleqoon” bhi kahe y’ani main ne apni biwi fatemah ko iis maal ke a’uz jo oos ne mujhe diya hai talaaq khula’ de raha hoon aur woh azaad hai. Agar aurat ma’een ho to talaaq khula’ mein aur neiz talaaq mubaaraat mein iis ka naam lenaa laazim nahin.
2489. Agar koi aurat kisi shakhs ko vakeel muqarrar kare takeh woh oos ka mehar oos ke shauhar ko bakhsh de aur shauhar bhi oosi shakhs ko vakeel muqarrar kare takeh woh oos ki biwi ko talaaq de de to agar misaal ke taur par shauhar ka naam mohammad aur biwi ka naam fatema ho to vakeel segha talaaq yoon padhe: “A’n muwakkelati fatemata bazalto mahraha lemuwakkeli muhammedin leyakhla’ha a’laihe” aur oos ke b’ad bilafasl kahe: ““zaujati khala’tuha a’la ma badhalat fehya taaleqoon” aur agar aurat kisi ko vakeel muqarrar kare keh oos ke shauhar ko mehar ke a’lawa koi aur cheez bakhsh de takeh oos ka shauhar oose talaaq de de to zaruri hai keh vakeel lafz “mehraha” ki bajaye oos chezz ka naam le maslan agar aurat sau rupayye diye hon to zaruri hai keh kahe: “badhalat meata rubeyate”.

Talaaq mubaaraat

2490. Agar miyan biwi dono ek dusre ko na chahte hon aur ek dusre se nafrat karte hon aur aurat mard ko kuchh maal de takeh woh oose talaaq de de to oose talaaq mubaaraat kahte hain.
2491. Agar shauhar mubaaraat ka segha padhna chahta ho to agar surat ka naam fatema ho to zaruri hai keh kahe: “b’azato zaujati fatemata a’la ma badhalat” aur ehtayaat-e-laazim ki bina par “faheya taaleqoon” bhi kahe y’ani main aur meri biwi fatema iis “a’ta” ke muqaable mein jo oos ne ki hai ek dusre se juda ho gaye hain, pas woh azaad hai. Aur agar woh shakhs kisi ko vakeel muqarrar kare to zaruri hai keh vakeel kahe: A’n qible muwakkeli b’azato zaujati fatemata a’la ma badhalat feheya taaleqoon” aur dono suuraton mein kalma “a’la mabadhalat” ki bajaye agar “bema badhaalat” kahe to koi ishkaal nahin hai.
2492. Khula’ aur mubaaraat ki talaaq ka segha agar mumkin ho to sahi a’rbi mein padha jana chahiye aur agar mumkin na ho to oos ka hukm talaq ke hukm jaisa hai jis ka bayaan massla 2467 mein guzar chuuka hai. Laikin aga raurat mubaaraat ki talaaq ke liye shauhar ko apna maal bakhsh de. Maslan urdu mein kahe keh “main ne talaaq lene ke liye falan maal nahin bakhsh diya” to koi ishkaal nahin.
2493. Agar koi aurat talaaq khula’ ya talaaq mubaaraat ki I’ddat ke dauraan apni bakhshish se phir jaaye to shauhar oos ki taraf ruju’ kar sakta hai aur dobaarah nikaah kiye baghair oose apni biwi bana sakta hai.
2494. Jo maal shauhar talaaq mubaaraat ke liye de zaruri hai keh woh aurat ke mehar se zayada na ho balkeh ehtayaat-e-waajib ki bina par zaruri hai keh mehar se kam ho. Laikin talaaq khula’ ke silsile mein liya jaane wala maal agar mehar se zayada bhi ho to koi ishkaal nahin.

Talaaq ke mukhtalif Ehkaam

2495. Agar koi aadmi kisi namahram aurat se gumaan mein jama' kare woh oos ki biwi hai to khawah aurat ko ilm ho keh woh shakhs oos ka shauhar nahin hai ya gumaan kare keh oos ka shauhar hai zaruri hai keh I'ddat rakhe.

2496. Agar koi aadmi kisi aurat se yeh jaante huye zina kare keh woh oos ki biwi nahin hai to agar aurat ko ilm ho keh woh aadmi oos ka shauhar nahin hai oos ke liye I'ddat rakhna zaruri nahin. Laikin agar oose shauhar hone ka gumaan ho to ehtayaat-e-waajib yeh hai keh woh aurat I'ddat rakhe.

2497. Agar koi aadmi kisi aurat ko warghalaaye keh woh apne shauhar se mut'aliq az doaji zimmedariyaan poori na kare takeh iis tarah shauhar oose talaaq dene par majboor ho jaaye aur woh khud oos aurat ke sathh shadi kar sake to talaaq aur nikaah sahi hain. Laikin don one bohut bada goonaah kiya hai.

2498. Agar aurat nikaah ke silsile mein shauhar se koi khaas shart kare maslan oos ka shauhar lamba safar ikhtayaar kare ya maslan chhe mahine oose kharch na de ya taweel muddat ke liye qaidi ban jaaye waghairah to talaaq ka ikhtayaar aurat ko haasil hoga to yeh shart baatil hai. Laikin agar woh yoon shart kare keh woh shauhar ki taraf se vakeel hai keh khaas shara'et ke tehat ya baghair kisi qaid aur shart ke apne aap ko oo ki taraf se talaaq de sakti hai to yeh shart sahi hai aur b'ad mein shauhar oos ko apni vakaalat se nahin hataa sakta. AGr woh aurat iis tarah khud ko talaaq de de to talaaq sahi hai.

2499. Jis aurat ka shauhar laapata ho jaaye agar woh dasra shauhar karna chaahe to zaruri hai keh mujtahid a'adil ke paas jaaye jo khaas shara'et ke tehat jin ki tafseel moonhaajul saleheen mein mazkuur hai oose talaaq de sakta hai.

2500. Da'emi diwaane ke baap dada oos ki bhalayee ke liye oos ki biwi ko talaaq de sakte hain.

2501. Agar baap ya dada apne (naabaligh) ladke (ya pote) ka kisi aurat se muta' kar de aur muta' ki I'ddat mein oos ladke ke liye mukallif hone ki kuchh muddat bhi shamil ho maslan apne chaudah saalaa ladke ka kisi aurat se do saala keliye muta' kar de to agar oos mein ladke ki bhalayee ho to woh (y'ani baap ya dada) oos aurat ki muddat bakhsh sakta hai. Laikin ladke ki da'emi biwi ko talaaq nahin de sakta,.

2502. Agar koi shakhs do aadmiyon ko shara' ki muqarrar karda a'laamat ki rau se a'adil samjhe aur apni bii ko oon ke saamne talaaq de de to koi aur shakhs jise oon do aadmiyon ki a'daalat mein shak ho, agar oose ehtemaal ho keh oon dono ki a'daalat talaaq dene waale ke nazdeek saabit shuda hai to oos aurat ki I'ddat khatm hone ke b'ad oos ke sathh apna ya dusre ka nikaah kar sakta hai laikin agar oon ke a'adil na hone ka yaqeen ho to oos aurat ke sathh aqd nahin kar sakta.

2503. Woh aurat jise talaaq raja'ee di gayee ho woh I'ddat ke dauraan oos mard ke liye shara'ee biwi ki haisiyat rakhti hai yahan tak keh I'ddat khatm ho jaaye. Aurat ke liye zaruri hai keh har qism ke istemata' se jo shauhar ka haq hai na roke aur jayez balkeh mustahab hai keh shauhar ke liye banao singhaar kare. Aur oos ki ijaazat ke baghair oos ke ghar se baahar nikalna jayez nahin. Oos ke akhrajaat shauhar par waajib hain bashart hai keh woh naashaza (naafarmaan) na ho aur oos ka fitra aur kafan bhi shauhar ke zimme hai, Kisi ek marne par dasra waaris ban skata hai aur mard I'ddat ke dauraan saali se shadi nahin kar sakta.

Ghasb ke Ehkaam

Ghasb ke m'ane yeh hain keh koi shakhs kisi ke maal par ya haq par zulm (aur dhaoons ya dhandli) ke zariye qaabiz ho jaaye aur yeh aisaa kaam hai jo azruye a'qal aur Qur'an wa riwayaat haraam hai. Janaab e Rasool Akram Sallallaho Alaihe wa A'lehi wassallam se riwaayat

hai: “ Jo shakhs kisi dusre ki ek balisht zameen ghsab kare qayaamat ke din oos zameen ko oos ke saat tabqob samet tauq ki tarah oos ki garden mein daal diya jayegaa.

2504. Agar koi shakhs logon ko massjid ya madarase ya pul ya dusri aisii jagahon se jo rafa a’am ke liye banayee gayee hon ishteqadana karne de tooos ne oon ka haq ghasb kiya hai. Isii tarah agar koi shakhs massjid mein apne (baithne ke) liye jagah makhtas kare aur dasra koi shakhs oose oos jagah se nikaal de aur oose oos jagah se ishteqada na karne de to woh goonaahgaar hai.

2505. Agar girwi rakhwaane wala aur girwi rakhne wala yeh tay kare keh jo cheez girwi rakhi ja rahi ho woh girwi rakhne waale ya kisi teesre shakhs ke paas rakhi jaaye to girwi rakhwaane wala oos ka qarz adaa karne se pahle oos cheez ko waapas nahin li ho to zaruri hai keh fauran lautaa de.

2506. Jo maal kisi ke paas girwi rakha gaya ho agar koi aur shakhs oose ghasb kar le to maal ka maalik aur girwi rakhne wala dono ghaasib se ghasb ki huyee cheez ka mutaaleba kar sakte hain aur agar woh cheez ghaasib se waapas le le to woh girwi hi rahegi.

2507. Agar insaan koi cheez ghasb kare to zaruri hai keh oos ke maalik ko lauta de aur agar woh cheez zaa’a ho jaaye aur oos ki koi qimat ho to zaruri hai keh oos ka a’uz massla 2518 mein bayaan ki gayee tafseel ke mutaabiq maalik ko de.

2508. Jo cheez ghasb ki gayee ho agar oos se koi nafa’ haasil ho maslan ghasb ki huyee bhed ka bachcha paida ho to woh oos ke maalik ka maal hai neiz misaal ke taur par agar kisi ne koi makaan ghasb kar liya ho to khawah ghaasib oos makaan mein na rahe to zaruri hai keh oos ka kiraya maalik ko de.

2509. Agar koi shakhs bachche ya diwaane se koi cheez jo oos (bachche ya diwaane) ka maalik ho ghasb kare to zaruri hai keh woh cheez oos ke sarparast ko de de aur agar woh cheez talf ho jaaye to zaruri hai keh oos ka a’uz de.

2510. Agar do aadmi mil kar kisi cheez ko ghasb kare chunanche woh dono oos cheez par tasaat rakhte hon to oon mein se har ek oos poori chezz ka zaamin hai. Agarche oon mein se har ek judagana taur par oose ghasb na kar sakta ho.

2511. Agar koi shakhs ghasb ki huyee cheez ko kisi dusri cheez se milaa de. Maslan jo gehoon ghasb ki ho oose jaw se milaa de to agar oon ka juda karma mumkin ho to khawah oos mein zehmat hi kyoon na ho zaruri hai keh oonhein ek dusre se a’laida kare aur (ghasb ki huyee cheez) oos ke maalik ko waapas kar de.

2512. Agar koi shakhs bani huyee talayee cheez maslan sone ki baalion ko ghasb kare aur oos ke ba’d oose pighlaa de to pighlaane se pahle aur pighlaane ke b’ad ki qimat mein jo farq ho zaruri hai keh woh maalik ko adaa kare chunanche agar qimat mein jo farq pada ho wohn a denaa chaahe aur kahe keh main oose pahle ki tarah banaa duoonga to maalik majboor nahin keh oos ki baat qabool kar le. Aur maalik bhi oose makboor nahin kar sakta keh woh oose pahle ki tarah banaa de.

2513. Jis shakhs ne koi cheez ghasb ki ho agar woh oos mein aisii tabdilii kare keh oos cheez ki haalat pahle se behtar ho jaaye maslan jo sonaa ghasb kiya ho oos ke buoonde banaa de to agar maal ka maalik oose kahe keh mujhe maal oosii haalat mein (y’ani buoonde ki shakl mein) do to zaruri hai keh oose de de aur jo zehmat oos ne uuthhayee ho (y’ani buoonde banaane par jo mehnat ki ho) oos ki mazdoori nahin le sakta. Aur isii tarah woh yeh haq nahin rakhta keh maalik ki ijaazat ke baghair oos cheez ko oos ki pahli haalat mein le aaye laikin agar oos ki ijaazat ke baghair oos cheez ko pahle jaisa kar de ya aur kisi shakl mein tabdeel kare to dono haalaton mein qimat ka jo farq hai oos ka zaamin hona m’aloom nahin.

2514. Jis shakhs ne koi cheez ghasb ki ho agar woh oos mein aisii tabdilii kare keh oos cheez ki haalat pahle se behtar ho jaaye aur saahebe maal oose oos cheez ki pahli haalat mein le aaye aur agar tabdilii karne ki wajah se oos cheez ki qimat pahli haalat se kam ho jaaye to zaruri hai keh oos ka farq maalik ko de. Lehaaza agar koi shakhs ghasb kiye huye sone ka haar banaa le aur oos sone ka maalik (oose pahli haalat mein lane ka) kahe to zaruri hai keh oose pahli shakl mein le aaye to agar pighlaane ke b'ad sone ki qimat oos se kam ho jaaye jitnii haar banana se pahle thhi to ghaasib ke liye zaruri hai qimat mein jitnaa farq ho oos ke maalik ko de.
2515. Agar koi shakhs oos zameen mein jo oos ne ghasb ki ho kheti baadi kare ya darakht lagaaye to fasal ki paidaawaar, darakht aur oon ka phal khud oos ka maalik hai aur zameen ka maalik iis baat par raazi na ho keh fasal aur darakht oos ki zameen mein rahen to jis new o zameen ghasb ki ho to zaruri hai keh khawah aisaa karma oos ke liye nuqsaandeh hi kyoon na ho woh fauran apni fasal ya darakhton ko zameen se uukhed le. Neiz zaruri hai keh jitnii muddat fasal aur darakht oos zameen mein rahe hon utnii muddat ka kirayaa zameen ke maalik ko de aur jo kharaabiyaan zameen mein apidaa huyee hon oonhein durust kare. Maslan jahan darakhton ko uukhedne se zameen mein gadhe pad gaye honoos jagah ko hamwaar kare. Aur agar oon kharabiyon ki wajah se zameen ki qimat pahle se kam ho jaaye to zaruri hai keh qimat mein jo farq pade woh bhi adaa kare aur woh zameen ke maalik ko oos baat par majboor nahin kar sakta keh zameen oos ke haathh de ya kiraaye par de de. Neiz zameen ka maalik bhi oose majboor nahin kar sakta keh darakht ya fasal oos ke haathh bech de.
2516. Agar zameen ka maalik iis baat par raazi ho jaaye keh fasal aur darakht oos ki zameen mein rahen to jis shakhs ne zameen ghasb ki ho oos ke liye laazim nahin keh fasal aur darakhton ko uukhede albatta zaruri hai keh jab zameen ghasb ki ho oos vaqt se lekar maalik ke raazi hone tak ki muddat ka kirayaa de.
2517. Jo cheez kisi ne ghasb ki ho agar woh talf ho jaaye to agar woh cheez gaaye aur bhed ki tarah qimii ho to zaruri hai keh ghaasib oos cheez ki qimat adaa kare. (Qimii aisii cheez ko kahte hain keh oos ki missal aisii khasusiyaat ki bina par jo faida haasil karne mein taseer rakhti hai faraawan nahin) aur agar oos vaqt kisi makhsuus haalat aur taqaaze ke tehat oos ki bazaar ki qimat badal gayee ho to zaruri hai keh woh qimat de jo talf hone ke vaqt thhi.
2518. Jo cheez kisi ne ghasb ki ho agar woh talf ho jaaye to agar woh gehoon aur jau ki manid misali ho to zaruri hai keh (ghaasib ne) jo cheez ghasb ki ho oos jaisii cheez maalik ko de. (Misali aisii cheez ko kahte keh oos ki missal aisii khasusiyaat ki bina par jo faida haasil karne mein taseer rakhti hai faraawan hai) laikin jo cheez de zaruri hai keh oos ki qimat apni khasusiyaat mein oos ghasb ki huyee cheez ki qisam ke manid ho jo keh talf ho gayee hai. Maslan agar badhiya qism ka chaawal ghasb kiya thha to ghatiya qism ka nahin de sakta.
2519. Agar ek shakhs (bhed jaisii) koi qimii cheez ghasb kare aur woh talf ho jaaye to agar jitnii muddat woh ghasb karne waale ke paas ho oos muddat mein oos mein aisii khasusiyat paida ho gayee keh oos ki qimat badh gayee ho maslan farba ho gayee ho phir talf ho jaaye to agar yeh farbehi ghaasib ki behtar dekh bhaal se na ho to zaruri hai keh farba hone ke vaqt ki qimat adaa kare. Aur agar oos ki farbehi ghaasib ki behtar dekh bhaal ki wajah se ho to oos farbehi ki qimat denaa laazim nahin hai.
2520. Jo cheez kisi ne ghasb ki ho agar koi aur shakhs wahi cheez oos se ghasb kare aur phir woh talf ho jaaye to maal ka maalik iin dono mein se har ek se oos ka a'uz le sakta hai ya oon dono mein se har ek se oos ke a'uz ki kuchh miqdaar ka mutaaleba kar sakta hai. Lehaaza agar maal ka maalik oos ka a'uz dusre ghaasib se le le to oos ne jo kuchh diya hai oos ka mutaaleba dasra ghaasib pahle ghaasib se nahin kar sakta.

2521. Jis cheez ko bechaa jaaye agar oos mein m'amle ki sharton mein se koi ek maujood na ho maslan jis cheez ki khareed o farokht wazan kar ke karni zaruri ho agar oos ka m'amla baghair wazan kiye kiya jaaye to m'amla baatil hai aur agar bechne wala aur khreedaar m'amle se qata' nazar iis baat par razaamand hon keh ek dusre ke maal mein tasarruf kare to koi ishkaal nahin hai. Varna jo cheez oonhon ne ek dusre se li ho woh ghasbi maal ki manid hai aur oon ke liye zaruri hai keh ek dusre ki cheezein waapas kar dein aur agar dono mein se jis ke bhi hathhon dusre ka maal talf ho jaaye to khawah oose m'aloom ho ya na ho keh m'amla baatil thha zaruri hai keh oos ka a'uz de.

2522. Jab ek shakhs koi maal kisi bechne waale se iis miqdaar se le keh oose dekhe ya kuchh muddat apne paas rakhe takeh agar pasand aaye to khareed le to agar woh maal talf ho jaaye to masshhoor qaul ki bina par zaruri hai keh oos ka a'uz oos ke maalik ko de.

Guumshuda maal paane ke Ehkaam

2523. Agar kisi shakhs ko kisi dusre ka guumshuda aisaa maal mile jo haiwanaat mein na ho aue jis ki koi aisii nishaani bhi na ho jis ke zariye oos ke maalik ka pata chal sake to khawah oos ki qimat ek darham -12 chane sikkedaar chaandi – se kam ho ya na ho woh apne liye le sakta hai laikin ehtayaat-e-mustahab hai keh woh shakhs oos maal ko oos ke maalik ki taraf se faqeeron ko sadqa kar de. Yahi hukm oos rupayye paise ka hai jis par koi a'lamat na ho. Han! Agar oos ki miqdaar ya zamaan wa makaan ki khasusiyaat oos paise ke liye a'laamat ban sakti hon to oos ke baare mein massla 2524 ke mutaabiq a'laan karwana zaruri hai.

2524. Agar koi shakhs ek aisii cheez paaye jis par koi aisii nishaani ho jis ke zariye oos ke maalik ka pata chalya ja sake to agarche oose m'aloom ho keh oos ka maalik ek aisaa kaafir hai jis ka maal mohtaram hai to oos suurat mein keh oos cheez ki qimat ek darham tak pohoonch jaaye to zaruri hai keh jis din woh cheez mili ho oos se ek saal tak logon ke majm'e (baithhkon ya majliso) mein oos ka a'laan kare. Aur agar oos ki qimat ek darham se kam ho to ehtayaat-e-waajib yeh hai keh oos se oos ke maalik ki taraf se sadqa kar de aur jab bhi oos ka maalik nikal aaye aur woh sadqa karne par raazi na ho to oose oos ka a'uz de de.

2525. Agar insaan khud a'laan na karna chahe to oose aise aadmi ko apni taraf se a'laan karne ke liye kah sakta hai jis ke mut'aliq oose itminaan ho keh woh a'laan kar degaa.

2526. Agar ek saal tak a'laan karne ke b'ad bhi maal ka maalik na mile to oos suurat mein jabkeh woh maal haram paak makka ke a'lawa kisi jagah se mila ho woh oose oos ke maalik ke liye apne paas rakh sakta hai takeh jab bhi woh mile oose de de aur oos muddat mein oos ki hifaazat ke sathh sathh oos se istefaida karne mein koi ishkaal nahin. Aur yeh bhi kar sakta hai keh oos maal ko oos ke maalik ki taraf se faqeeron ko sadqa kar de aur ehtayaat-e-waajib yeh hai keh woh khud na le. Aur agar woh maal oose haram paak maaka mein mila ho to ehtayaat-e-waajib yeh hai keh oose fuqra par sadqa kar de.

2527. Agar ek saal tak a'laan karne ke b'ad bhi maal ka maalik na mile aur maal oos ke maalik ko dene ke liye oos ki hifaazat ke dauraan talf ho jaaye to agar oos ne maal ki tanghadasht mein kotaahi na barti ho aur t'adaad y'ani be ehtayaati bhi na ki ho to phir woh zimmedaar nahin hai. Laikin agar woh maal oos ke maalik ki taraf se sadqa kar chuuka ho to maal ke maalik ko ikhtayaar hai keh oos sadqe par raazi ho jaaye ya apne maal ke a'uz ka mutaleba aur sadqe ka sawaab sadqa karne waale ko milegaa.

2528. Jis shakhs ko oi maal milaa ho agar woh oos tariqe ke mutaabiq jis ka zikr uupar kiya gaya hai amdan a'laan kare to pahle (a'laan na kar ke agarche) oos ne goonaah kiya hai laikin aab oose ehtemaal ho keh (a'laan karna) mufeed hoga to phir bhi oos par waajib hai keh a'laan kare.

2529. Agar deewane ya naabaligh bachche ko koi aisii cheez mil jaaye jis mein a'laamat maujood ho aur oos ki qimat ek darham ke barabar ho to oos ka sarparast a'laan kar sakta hai. Balkeh agar woh cheez sarparast ne bachche ya diwaane se le li ho to oos par waajib hai keh a'laan kare. Aur agar ek saal tak a'laan kare phir bhi maal ka maalik na mile to zaruri hai keh jo kuchh massla2526 mein bataya gaya hai oos ke mutaabiq a'mal kare.
2530. Agar insaan oos saal ke dauraan jis mein woh (milne waale maal ke baare mein) a'laan kar raha ho maal ke maalik ke milne se na umeed ho jaaye to zaruri hai keh ehtayaat-e-waajib ki bina par haakim shar'a ki ijaazat se oos maal ko sadqa kar de.
2531. Agar oos saal ke dauraan jis mein (insaan milne waale maal ke baare mein) a'laan kar raha ho maal talf ho jaaye to agar oos shakhs noos maal ki tanghadasht mein kotaahi ki ho ya oose bejaa iste'maal kiya ho to woh zaamin hai keh oos ka a'uz oos ke maalik ko de aur zaruri hai keh a'laan karta rahe. Aur agar kotaahi na ki ho aur bejaa iste'maal bhi na kiya ho to phir oos par kuchh bhi waajib nahin hai.
2532. Agar koi maal jis par koi nishaani (ya marka) ho aur oos ki qimat ek darham tak pohoonchtii ho aisii jagah mile jis ke baare mein m'aloom ho keh a'laan ke zariye oos ka maalik nahin milega to zaruri hai keh (jis shakhs ko woh maal mila ho) woh pahle din hi oos eehtayaat-e-laazim ki bina par haakim shar'a ki ijaazat se oos ke maalik ki taraf se faqeeron ko sadqa kar de aur zaruri nahin kae woh saal khatm hone tak intezaar kare.
2533. Agar kisi shakhs ko koi cheez mile aur woh oose apna samajhte huye uthha le aur b'ad mein oose pata chale keh woh oos ka apna maal nahin hai jo ehkaam oos se pahle waale massa'el mein bayaan kiyegaye hain oonhin ke mutabiq a'mal kare.
2534. Jo cheez milii ho zaruri hai keh oos ka iis tarah a'laan kiya jaaye keh agar oos ka maalik suoone to oose ghaalib gumaan ho keh woh cheez oos ka maal hai aur a'laan karne mein mukhtalif mawaq'e ke lehaaz se farq hota hai. Maslan ba'az auqaat itnaa kahna kaafi hai keh "mujhe koi cheez mili hai" laikin b'az suuraton mein zaruri hai keh oos cheez ki jins ka t'aeen kare maslan yeh kahe "mujhe sone ka ek tukda mila hai" aur b'az suuraton mein oos cheez ki b'az khususiyaat ka izaafa bhi zaruri hai maslan kahe "mujhe sone ki baaliyaan mili hain" laikin beharhaal zaruri hai keh oos cheez ki tamaam khususiyaat ka zikr na kare takeh woh cheez mo'yyin na ho jaaye. A'laan aisii jagah karna zaruri hai jahan maalik ko itla' milne ka zayada ehtemaal ho.
2535. Agar kisi ko koi cheez mil jaaye aur dasra shakhs kahe keh yeh mera maal hai aur oos ki nishaaniyan bhi bata de to woh cheez oos dusre shakhs ko oos vaqt denaa zaruri hai jab oose itminaan ho jaaye keh yeh oosi ka maal hai. Yeh laazim nahin keh woh shakhs aisii nishaaniyan bataye jin ki taraf amuman maal ka maalik bhi towajjo nahin deta.
2536. Kisi shakhs ko jo cheez mili ho agar oos ki qimat ek darham tak pohoonche to agar woh a'laan na kare aur oos cheez ko massjid ya kisi dusri jagah jahan log jama' hote hon rakh de aur woh cheez talf ho jaaye ya koi dasra shakhs oose uuthh le to jis shakhs ko woh cheez padi huyee mili ho woh zimeedaar hai.
2537. Agar kisi shakhs ko koi aisii cheez mil jaaye jo ek saal tak baaqi na rahti ho to zaruri hai keh oon tamaam khususiyaat ke sathh jab tak keh woh baaqi rahe oos cheez ki hifaazat kare jo oos ki qimat mein ehmiyat rakhti hon. Aur ehtayaat-e-waajib yeh hai keh oos muddat ke dauraan oos ka a'laan bhi karta rahe aur phir bhi oos ka maalik na mile to oos ki qimat ka t'aeen kar ke apne liye rakh le aur yeh bhoi kar sakta hai keh oose bech de aur oon paison ki hifaazat kare aur dono suuraton mein zaruri hai keh a'laan bhi jaari rakhe. Agar oos ka maalik mil jaaye to raqam oose de de aur agar ek saal tak oos ka maalik na mile to zaruri hai keh jo kuchh massla 2526 mein bataya gaya hai oos ke mutabiq a'mal kare.

2538. Jo cheez kisi ko padi huyee mil jaaye agar wazu karte vaqt ya namaaz padhte vaqt woh oos ke paas ho agarche woh maalik milne ki suurat mein oose na lautana chaahta ho tab bhi oos ka wazu aur namaaz baatil nahin hogi.
2539. Agar kisi shakhs ka jota uuthha liya jaaye aur oos ki jagah kisi aur ka jota rakh diya jaaye aur agar woh shakhs janta ho keh jo jota rakha hai woh oos shakhs ka maal hai jo oos ka jota le gaya hai aur woh iis baat par raazi ho keh jo jota woh le gaya hai oos ke a'uz oos ka jota rakh le to woh apne joote ke bajaye woh jota rakh sakta hai. Isii tarah agar woh shakhs jaanta ho keh woh shakhs oos ka jota nahaq aur zulman le gaya hai tab bhi yahi hukm hai. Laikin iis suurat mein zaruri hai keh oos joote ki qimat oos ke apne joote ki qimat se zayada na ho varna zayada qimat ke mut'aliq mujhulul maalik ka hukm jaari hoga aur iin do suuraton ke a'lawa oos joote par majhulul maalik ka hukm jaari hoga.
2540. Agar insaan ke paas majhulul maalik maal ho y'ani oos ka maalik nam'aloom ho aur oos maal par lafz guumshuda ka itlaaq na hota ho to oos suurat mein keh jab oose itminaan ho keh oos maal mein tasarruf karne par oos maal ka maalik raazi hoga to jis tarah bhi woh oos maal mein tassaruf karna chaahe oos ke liye jayez hai. Agar itminaan na ho to insaan ke liye laazim hai keh oos ke maalik ko talaash kare aur jab tak oos ke milne ki umeed ho oos vaqt tak talaash kare aur oos ke maalik ke milne se mayoos hone ke b'ad oos maal ko bataur sadqa faqeer ko dena zaruri hai. Ehtayaat-e-waajib yeh hai keh haakim shara' ki ijaazat se sadqa de de aur haakim shara' ki ijaazat se oos ki qimat bhi sadqa de de.

Haiwanaat ko shikaar aur zibh karne ke Ehkaam

2541. Halaal gosht haiwaan joonglee ho ya paaltoo oos ko oos tariqe se zibh kiya jaaye jo ba'd mein bataya jaayega to oos ki jaan nukal jaane ke ba'd oos ka gosht halaal aur badan paak hai. Laikin oont, machhli aur tiddi ke halaal hone ka tariqaa alag hai jise aayenda massa'el mein bayaan kiyaa jaayega.
2542. Woh joonglee haiwaan jinkaa gosht halaal ho maslan hiran, chakor aur pahadi bakri aur woh haiwaan jin ka gosht halaal ho aur jo paltoo hon aur ba'd mein joonglee ban gaye hon maslan paltoo gaaye aur oont jo bhaag gaye hon aur joonglee ya aise sarkash ho gaye honk eh oonhein qaboo na kar sakte hon to agar oonhein oos tariqe ke mutabiq shikaar kiya jaaye jis ka zikr ba'd mein hoga to woh paak aur halaal hain. Laikin halaal gosht waale haiwaan maslan bhed aur ghareloo murgh aur halaal gosht waale woh joonglee haiwaan jo tarbiyat ki wajah se paltoo ban jayen shikaar karne se paak aur halaal nahin hote.
2543. Halaal gosht wala joonglee haiwaan shikaar karne se iis suurat mein paak aur halaal hota hai jab woh bhaag sakta hoa ya uud sakta ho. Lehaaza hiran ka woh bachcha jo bhaag na sake aur chakor ko woh bachcha jo uud na sake shikaar karne se paak aur halaal nahin hote aur agar koi shakhs hirani ko aur iis ke aise bachche ko jo bhaag na sake ek hi teer se shikaar kare to hirani halaal aur oos ka bachcha haraam hai.
2544. Halaal gosht wala woh haiwaan jo uchhalne wala khoon na rakhta ho maslan machhli agar khud mar jaaye to paak hai laikin oos ka gosht khaaya nahin ja sakta.
2545. Haraam sodht wala woh haiwaan jo uchhalne wala khoon na rakhta ho maslan saanp aur girgit oos ka murda paak hai kaikin shikaar ya zibh karne se woh halaal nahin hote.
2546. Kutta aur soor zibh karne aur shikaar karne se bilkul paak nahin hote aur oon ka gosht khaana bhi haraam hai. Aur iisi tarah chhote haiwaan jo zere zameen rahte hain aur uchhalne wala khoon rakhte hain jaise chuuha aur goh waighairah shikaar karne se ya zibh karne se oon ka gosht aur khaal paak nahin hote.

2547. Haraam gosht haiwanaat ka gosht aur khaal – oon haiwanaat ke a'lawa jo guzishta massle mein zikr kiye gaye – zibh karne ya aslahe se shikaar karne se paak hote hain khawah woh haiwanaat cheer phaad karne waale hon ya na hon. Hatta keh haathi cheetah aur ndar bhi (jo fuqha nazar se ikhtelaaf hain) aur agar haraam gosht haiwanat ka kutte ke zariye shikaar kare to oos ka paak hona mehal ishkaal hai.
2548. Agar zinda haiwaan pair se murda bachcha nikale ya nikala jaaye to oos ka gosht haraam hai.

Haiwanaat ko zibh karne ka tariqa

2549. Haiwaan ko zibh karne ka tariqa yeh hai keh oos ki garden ki chaar badi raqgon ko mukammil taur par kaata jaaye. (1) Saans ki naali (2) khaane ki naali (3-4) Do moti ragen jo khaane aur saans ki naali ke dono taraf hoti hain. Aur ehtayaat-e-waajib ki bina par oon ragon mein sirf cheera lagaana ya sirf kaatna kaafi nahin hai aur darhaqiqat yeh chaar ragon ka kaatna na hua – magar Z(shar'an zibh oos vaqt sahi hota hai) jab saans aur khaane ki naalion ko gale ki girah ke neeche se iis tarah kaata jaaye keh woh juda ho jayen.
2550. Agar koi shakh chaar ragon mein se ba'az ko kaate aur phir haiwaan ke marne tak sabr kare aur baaqi ragen ba'd mein kaate to oos ka koi fayeda nahin y'ani haiwaan paak aur halaal nahin hai. Laikin oos suurat mein jab keh chaaron ragen haiwaan ke jaan nikalne se pahle kaat di jayen magar hasb m'amool musalsal na kaati jaye to woh haiwaan paak aur halaal hoga.
2551. Agar bhed ya kosi bhed ka gala iis tarah phaad de keh garden ki oon chaar ragon mein se joonhein zibh karte vaqt kaatnaa zaruri hai kuchh bhi baaqi na rahe to woh bhed haraam ho jati hai aur agar sirf saans ki naali bilkul badan se lagi huyee baaqi rahen to ehtayaat-e-waajib ki bina par woh bhed haraam ho jati hai. Laikin agar badan ka koi dasra hissa phaade to iis suurat mein jab keh bhed abhi zinda ho aur iis tariqe ke mutabiq zibh ki jjaye jis ka zikr ba'd mein hoga to woh halaal aur paak hogi. Yeh hukm sirf bhediye aur bhed ke saathh hi makhtas nahin hai.

Haiwaan ko zibh karne ki shara'et

2552. Haiwaan ko zibh karne ki chand shartein hain:

(1) Haiwaan ko zubh karne wala mard ho ya aurat zaruri hai keh musalamaan ho- woh musalmaan bachcha bhi jo samajhdaar y'ani bure bhale tameez rakhta ho haiwaan ko zibh kar sakta hai. Laikin ghair kitaabi kuffar aur oon firqo ke log ko kuffar ke hukm mein hain maslan nawasib agar kisi haiwaan ko zibh kare to woh halaal nahin hoga balkeh kitaabi kaafir (maslan yahoodi aur I'shayee) bhi kisi haiwaan ko zibh kare agarche Bismillah bhi kahe to bhi ehtayaat-e-waajib ki bina par woh haiwaan halaal nahin hoga.

(2) Jahan tak ho sake haiwaan ka gala lohe ki chhudi se kaate. Binabar ehtayaat-e-waajib steel ki chhudi se kaatna kaafi nahin hai laikin agar lohe ka auzaar dastaab na ho to kisi aisii tez dhaar cheez se zibh kare jo gale ki chaaro ragen kaat sakti ho maslan shishaa aur patthhar har chand keh iis ka sar juda karne ki zarurat pesh na aye ho.

(3) Zibh karte vaqt haiwaan ka rukh qible ki taraf ho. Haiwaan ka qibla rukh hona khawah woh baithha ho ya khada ho dono haalaton mein aisa ho jaise insaan namaaz mein qibla rukh hota hai. Aur agar haiwaan dayen taraf ya bayen taraf letaa ho to zaruri hai keh haiwaan ki garden aur oos ka pait qibla rukh ho aur oos ke paaon, haathon aur moonh ka qibla rukh hona laazim nahin hai. Jo shakhs jaanta ho keh zibh karte vaqt zaruri hai keh haiwaan qibla rukh ho agar woh jaan boojh kar oos ka moonh qible ki taraf na kare to haiwaan haraam ho jata hai. Laikin agar zibh karne

wala bhool jaaye yam as;a na jaanta ho ya qible ke baare mein oose ishteba ho to ishkaal nahin hai. Aur agar yeh na jaanta ho keh qibla kis taraf hai ya haiwaan ka moonh agarche dusre ki madad le kar qible ki taraf na kar sakta ho to oos suurat mein keh jaanwar sarkash dolatiya jhadne wala ho ya kuwaein ya gadhe mein gada hua ho aur oose qibla rukh zibh karne se laachaar hon to jis taraf ho zibh karne mein koi ishkaal nahin hai. Aur yahi hukm hai jabkeh jaanwar ke wibla rukh hone ka aqida na rakhta ho durust hai chaahe woh jaanwar ko qibla ruu na rakhe. Ehtayaat-e-mustahab yeh hai keh haiwaan ko zibh karne wala bhi qibla rukh ho.

(4) Kisi haiwaan ko zibh karte vaqt ya zibh se kuchh pahle zibh karne ki niyyat se zibh karne wala khud Khuda ka naam le. Aur ghair zabih ka Khuda ka naam lena kaafi nahin hai. Aur sirf bismillah ya allah ho akbar kah de to kaafi hai balkeh agar sirf allah kah de to kaafi hai agarche khilaaf ehtayaat hai. Aur agar zibh karne ki niyyat ke baighair Khuda ka naam le ya massla na janne ki wajah se Khuda ka naam na le to woh haiwaan paak nahin hota laikin agar bhoolne ki wajah se Khuda ka naam na le to ishkaal nahin hai.

(5) Zibh hone ke b'ad haiwaan harkat kare agarche misaal ke taur par sirf aankh ya duum ko harkat de ya apna paaon zameen par mare aur yeh hukm oos suurat mein laazim hai jab zibh karte vaqt haiwaan ka zinda hona masshkuk ho aur agar masshkuuk na ho to yeh shart zaruri nahin hai.

(6) Haiwaan ke badan se itna khoon nikale jitna m'amool ke mutaabiq nikalta hai. Pas agar khoon ooski ragon mein ruuk jaaye aur oos se khoon na nikale ya khoon nikla ho laikin oos haiwaan ki nau' ki nisbat kam ho to woh haiwaan halaal nahin hoga. Laikin agar khoon kam nikalne ki wajah se ho keh oos haiwaan ka zibh karne se pahle khoon bah chuuka ho to ishkaal nahin hai.

(7) Haiwaan ka gala zibh ki niyyat ka kaata jaaye. Gar kisi ke haathh se chaaqu gire aur haiwaan ka gala baghair niyyat ke kaat de – ya zibh karne wala neend mein ya nashe mein ho ya behoshi mein ho ya ghair mamayyez bahchca ya diwaana ho ya kisi aur maqsad se chaaqu haiwaan ke gale par pher raha ho aur ittefaqan gala kat jaaye to woh halaal nahin hai.

2553. Ehtayaat-e-waajib ki bina par jayez nahin hai keh haiwaan ki jaan nikalne se pahle oos ka sar tan se juda kiya jaaye. AAgarche aisaa karne se haiwaan haraam nahin hota. Laikin laaparwa'ee ya chhudi tez hone ki wajah se sar juda ho jaaye to ishkaal nahin hai. Aur isii tarah hai ehtayaat-e-waajib ki bina par haiwaan ki garden cheerna aur oos ki nikhaa' jaan nikalne se pahle kaatna – aur nikhaa' wahi haraam maghaz hai jo safed rag ki tarah haiwaan ki kamar ke mahroon ke dirmiyaan se duum tak jjati hai.

Oont ko nehar karne ka tariqa

2554. Oont ko paak aur halaal karne ke liye zaruri hai keh zibh ke bajaye nehar kiya jaaye. Aur oos ki shara'et wahi hain jo haiwaan ko zibh karne ke liye batayee gayee hain. Chhudi ya koi aur cheez jo lohe se bani ho aur kaatne waali oont ki garden aur seene ke dirmiyaan jauf mein ghonp de. Behtar yeh hai keh nehar karte vaqt oont khada ho.

2555. Agar oont ki garden ki gahrayee mein chhudi ghonpne ki bajaye oose zibh kiya jaaye (y'ani nehar karne ke bajaye oos ki garden ki chaar ragen kaati jayen) ya bhed aur gaaye aur iin jaise dusre haiwaan ko oont ki tarah nehar kiya jaaye (y'ani oon ki garden ki ghara'ee mein oont ki tarah chhudi ghonpi jaaye) to oon ka gosht haraam aur badan najis hai. Laikin agar oont ki chaar ragen kaati jayen aur abhi woh zinda ho to mazkurah tariqe ke mutaabiq oos ki garden ki

ghara'ee mein chhudi ghonpi jaaye aur aur abhi woh zinda honk eh oonhein zibh kar diya jaaye to woh paak aur halaal hain.

2556. Agar koi haiwaan sarkash ho jaaye aur oos tariqe ke mutaabiq jo sharaane muqarrar kiya hai zibh (ya nehar) karma mumkin na ho maslan koonwein mein gir jaaye aur iis baat ka ehtemaal ho keh wahin mar jaayega aur oos zakhm ke natije mein oos ki jaan nikal jaaye woh haiwaan halaal hai aur oos ka ruu ba qibla hona laazim nahin. Laikin zaruri hai keh dusri shara'et jo haiwaan ko zibh karne ke baare mein bata'ee gayee hain oos mein maujood hon.

Haiwanaat ko zibh karne ke mustahabaat

2557. Fuqha' rizwaan allah a'laihim ne haiwaanaat ko zibh karne mein kuchh cheezon ko mustahab shuumaar kiya hai:

(1) Bhed koa zibh karte vaqt oos ke dono haath aur ek paaon baandh diye jayen aur dasra paaon khula rakha jaaye. Aur gaaye ko zibh karte vaqt oos ke chaaron haathh paaon baandh diye jayenduum khuuli rakhi jaaye aur oont ko nehar karte vaqt agar woh baithha hua ho to oos ke dono haathh neeche se ghutne tak ya baghal ke neeche ek dusre se baadh diye jayen aur oos ke paaon khule rakhe jayen. Aur agar khada ho to oos ke bayen paaon ko baandh dein. Aur mustahab hai keh parende ko zibh karne ke ba'd chhod diya jaye takeh woh apne par aur b'azu phad phada sake.
(2) Haiwaan ko zibh (ya nehar) karne se pahle oos ke saamne paani rakha jaaye.
(3) (Zibh ya nehar karte vaqt) aisaa kaam kiya jaaye keh haiwaan ko kam se kam takleef ho. Maslan chhudi khuub tez kar li jaaye aur haiwaan ko jaldi zibh kiya jaaye.

Haiwaan ko zibh karne ke makruhaat

2558. Haiwanaat ko zibh karte vaqt ba'az riwayaat mein chand cheezein makruh shumaar ki gayee hain:

(1) Haiwaan ki jaan nikalne se pahle oos ki khaal uutaarna.
(2) Haiwaan ko aisii jagah zibh karma jahan oos ki nasl ka dasra haiwaan oose dekh raha ho.
(3) Raat ko ya juma' ke din zohur se pahle haiwaan ka zibh karma lakin agar aisaa karma zarurat ke tehat ho to oos mein koi karahat nahin.
(4) Jis caupaaye ko insaan ne paalaa ho oose khud apne haathh se zibh karma.

Hathiyaaron se shikaar karne ke ehkaam

2559. Agar halaal gosht joonglee haiwaan ka shikaar hathiyaaron ke zariye kiya jaaye aur woh mar jaaye to paanch sharton ke saathh woh haiwaan halaal aur oos ka badan paak hota hai.

(1) Shikaar ka hathiyaar chhudi aur talwaar ki tarah kaatne wala ho ya neze aur teer ki tarah tez ho takeh tez hone ki wajah se haiwaan ke badan ko chaak kar de aur qasam daum mein agar hathiyaar neze ki mok ki tarah na ho to shikaar ke halaal hone ki shart yeh hai keh haiwaan ke badan ko zakhi aur chaak kar de aur agar neze ki nok ho to itnaa kaafi hai keh haiwaan ko maar de agarche zakhmi na kare. Aur agar haiwaan ka shikaar jaal ya ladki ya patthhar ya iin jaisii cheezon ke zariye kiyaa jaaye aur woh mar jaaye to paak nahin hota aur oos ka khaana bhi haraam hai. Aur yahi hukm hai ehtayaat-e-waajib ki bina par keh agar kisi aisii tez cheez se jo hathiyaar na ho jaise badi su'ee ya panja ya kabaab ki seekh waghairah se shikaar kiya jaaye. Agar haiwaan ka shikaar bandook se kiya jaaye aur oos ki goli itni tez ho keh haiwaan ke badan mein ghuus jaaye aur oose chaak kar de to woh haiwaan paak aur halaal hai.

Khawah goli tez na ho balkehdabao ke sathh haiwaan ke badan mein daakhil ho aur oose maar de ya apni garden ki wajah se oos ka badan jala de aur oos jalne ke asar se haiwaan mar jaaye to oos haiwaan ke paak aur halaal hone mein ishkaal hai.

(2) Hai keh shikaari musalmaan ho ya aisaa musalmaan bachcha ho jo bure bhale ko samajhta ho aur agar ghair kitaabi kaafir ya woh shakhs jo kaafir ke hukm mein ho – Jaise nasibi – kisi haiwaan ka shikaar kare to woh shikaar halaal nahin hai balkeh kitaabi kaafir bhi agar shikaar kare aur allah ka naambhi le tab bhi ehtayaat-e-waajib ki bina par woh haiwaan halaal nahin hoga.

(3) Shikaari hathiyaar oos haiwaan ko shikaar karne ke liye iste'maal kare aur agar maslan koi shakha kisi jagah ko nishana bana raha ho aur ittefaqan ek haiwaan ko maar de to woh haiwaan paak nahin hai aur oos ka khaana bhi haraam hai. Laikin aadmi shikaar ki gharz se kisi khaas haiwaan ka nishana le aur kisi dusre haiwaan par lage to woh halaal aur paak hai.

(4) Hathiyaar chalaate vaqt shikaar Allah ka naam le aur agar nishane par lene se pahle Allah ka naam le to bhi kaafi hai. Laikin agar jaan boojh kar Allah Ta'ala ka naam na le to shikaar halal nahin hota. Albatta bhool jaaye to koi ishkaal nahin.

(5) Agar shikaari haiwaan ke paas oos vaqt opohoonche jab woh mar chuuka ho ya agar zinda ho to zibh karne ke liye vaqt na ho ya zibh karne ke liye vaqt hote huye woh oose zibh na kare hatta keh woh mar jaaye to haiwaan haraam hai.

2560. Agar so ashkhaas (mil kar) ek haiwaan ka shikaar kare aur oos mein se ek mazkura poori shara'et ke sathh shikaar kare laikin dusre ke shikaar mein mazkura poori shara'et na hon maslan oon dono mein se ek Allah ta'ala ka naam le aur dasra jaan boojh kar Allah ta'ala ka naam na le to woh haiwaan halaal nahin hai.

2561. Agar teer lagne ke b'ad misaal ke taur par haiwaan paani mein gir jaaye aur insaan ko ilm ho keh haiwaan – teer lagne aur paani mein girne – dono wajah se maraa hai to woh haiwaan halaal nahin hai. Balkeh agar insaan ko yeh ilm na ho keh woh faqt teer lagne se maraa hai tab bhi woh haiwaan halaal nahin hai.

2562. Agar koi shakhs ghasbi kutte ya ghasbi hathiyaar se kisi haiwaan ka shikaar kare to shikaar halaal hai aur khud shikaari ka maal ho jata hai. Laikin iis baat ke a'lawa keh oos ne goonaah kiya hai zaruri hai keh hathiyaar ya kutte ki ujrat oos ke maalik ko de.

2563. Agar shikaar karne ke hathiyaar maslan talwaar se haiwaan ke b'az a'za maslan haathh aur paaon oos ke badan se juda kar diye jayen to woh a'zu haraam hain laikin agar massla 2559 mein mazkura shara'et ke sathh oos haiwaan ko zibh kiya jaaye to oos ka baaqi manda badan halaalho jayega. Laikin agar shikaar se mazkura shara'et ke sathh haiwaan ke badan ke do tukde kar diye jayen aur sar aur garden ek hisse mein rahen aur insaan oos vaqt shikaar ke paas pohoonche jab oos ki jaan nikal chuuki ho to dono hisse halaal hain. Agar haiwaan zinda ho laikin oose zibh karne ke liye vaqt na ho tab bhi yahi hukm hai. Laikin agar zibh karne ke liye vaqt ho aur mumkin ho keh haiwaan kuchh deir zinda rahe to woh hissa jis mein sar aur garden na ho haraam hai aur woh hissa jis mein sar aur garden ho agar oose pahle bataye gaye tariqe ke mutaabiq zibh kiya jaaye halaal hai varna woh bhi haraam hai.

2564. Agar ladki ya patthhar kisi dusri cheez se jin se shikaar karma sahi nahin hai kisi haiwaan ke do tukde kar diye jayen to woh hissa jis mein sar aur garden na hon haraam hai. Aur agar haiwaan zinda ho aur mumkin ho keh kuchh deir zinda rahe aur oose pahle bataye gaye tariqe ke mutaabiq zibh kiya jaaye to woh hissa jis mein sar aur garden hon halaal hai varna woh hissa bhi haraam hai.

2565. Jab kisi haiwaan ka shikaar kiya jaaye ya oose zibh kiya jaaye aur oos ke pait se zinda bachcha nikale to agar oos bachche ko pahle bataye gaye tariqe se zibh kiya jaaye to halaal vaqrna haraam.
2566. Agar kisi haiwaan ka shikaar kiya jaaye ya oose zibh kiya jaaye aur oos ke pait se murda bachcha nikale to oos suurat mein keh jab bachcha oos haiwaan ko zibh karne se pahle na maraa ho aur isii tarah jab woh bachcha oos haiwaan ke pait se deir se nikalne ki wajah se na maraa ho agar oos bachche ki banaawat mukammal ho aur baal ya oon oos ke badan par uuge huye hon to woh bachcha paak aur halaal hai.

Shikaari kutte se shikaar karna

2567. Agar shikaari kisi halaal gosht waale joongle haiwaan ka shikaar kare to oos haiwaan ke paak hone aur halaal hone ke liye chhe shartein hain:

(1) Kutta iis tarah sadhaaya hua ho keh jab bhi oose shikaar pakadne ke liye bejhaa jaaye chala jaaye aur jab oose jaane se rokaa jaaye to ruuk jaaye. Laikin agar shikaar se nazdeek hone aur shikaar ko dekhne ke b'ad oose jaane se rokaa jaaye aur na ruuke to koi harj nahin hai. Agar oos ki a'adat yeh ho keh apne maalik ke pohoonchne se pahle shikaar se kuchh khaa le to bhi koi harj nahin hai aur isii tarah agar oose shikaar ka khoon peene ki a'adat ho to ishkaal nahin hai. Laikin ehtayaat-e-waajib ki bina par yeh shart zaruri hai keh oos ki a'adat aisii ho keh agar oos ka maalik shikaar oos se lenaa chaahe to rukaawat na dale aur muqaable par uutar na aaye.

(2) Oos ka maalik oose shikaar ke liye bejhe aur agar woh apne aap hi shikaar ke peechhe jaaye aur kisi haiwaan ko shikaar kar le to oos haiwaan ka khaana haraam hai. Balkeh agar kutta apne aap shikaar ke peechhe lag jaaye aur b'ad mein oos ka maalik hank lagaye takeh woh jaldi shikaar tak pohoonche to agarche woh maalik ki aawaaz ki wajah se tez bhaage phir bhi ehtayaat-e-waajib ki bina par oos shikaar ko khaane se ijtenaab karma zaruri hai.

(3) Jo shakhs kutte ko shikaar ke peechhe lagaaye zaruri hai keh musalmaan ho. Iis tafseel ke mutaabiq jo aslahe se shikaar karne ki shara'et mein bayaan ho chuuki hai.

(4) Kutte ko shikaar ke peechhe bejhte vaqt ya bejhne se pahle shikaari Allah ta'ala ka naam le aur agar jaan boojh kar Allah ta'ala ka naam na le to woh shikaar haraam hai laikin agar bhool jaaye to ishkaal nahin.

(5) Shikaar ko kutte ke kaatne se jo zakhm aaye woh oos se mare – Lehaaza agar kutta shikaar ka gala ghont de ya shikaar daudne ya dar jaane ki wajah se mar jaaye to halaal nahin hai.

(6) Jis shakhs ne kutte ko shikaar ke peechhe bejhaa ho agar woh (shikaar kiye gaye haiwaan ke paas) oos vaqt pohoonche jab woh mar chuuka ho ya agar zinda ho to oose zibh karne ke liye vaqt na ho. Laikin shikaar ke paas pohoonchna ghair m'amool taakheer ki wajah se na ho. Aur agar aise vaqt pohoonche jab oose zibh karne ke liye vaqt ho laikin woh haiwaan ko zibh na kare hatta keh woh mar jaaye to woh haiwaan halaal nahin hai.

2568. Jis shakhs ne kutte ko shikaar ke peechhe bejhaa hai agar woh shikaar ke paas oos vaqt pohoonche jab woh oose zibh kar sakta ho to zibh karne ke loaazmaat maslan agar chhudi nikalne ki wajkah se vaqt guzar jaaye aur haiwaan mar jaaye to halaal hai. Laikin agar oos ke paas aisii koi cheez na ho jis se haiwaan ko zibh kare aur woh mar jaaye to binaabar ehtayaat-e-waajib woh haalal nahin hota. Albatta iis suurat mein agar woh shakhs oos haiwaan ko chhod de taakeh kutta oose maar dale to woh haiwaan halaal ho jata hai.

2569. Agar kayee kutte shikaar k eke peechhe bejhe jayen aur woh sab mil kar kisi haiwaan ka shikaar kare to agar woh sab ke sab oon shara'et ko poora karte hain jo massla 2568 mein bayaan ki gayee hain to shikaar halaal hai aur agar oon mein se ek kutta bhi oon shara'et ko poora na kara to shikaar haraam hai.
2570. Agar koi shakhs kutte ko kisi haiwaan ke shikaar ke liye bejhe aur woh kutta koi dasra haiwaan shikaar kar le to woh shikaar halaal aur paak hai. Aur agar jis haiwaan ke peechhe bejhaa gaya hai to woh shikaar haraam hai.
2571. Agar chand askhaas milkar ek kutte ko shikaar ke peechhe bejkhin aur oon mein se ek shakhs jaan boojh kar Khuda ka naam na le to woh shikaar haraam hai. Neiz jo kutte shikaar ke peechhe bejhe gaye hon aur agar oon mein se ek kutta oos taragh sadhaaya hua na ho jaisa keh massla 2567 mein bayaan kiya gaya hai to woh shikaar haraam hai.
2572. Agar b'az ya shikaari kutte ke a'lawa koi aur haiwaan kisi jaanwar ka shikaar kare to woh shikaar halaal nahin hai. Laikin agar koi shakhs oos shikaar ke paas pohoonch jaaye aur woh abhi zinda aur iis tariqe ke mutaabiq jo pahle btaya gaya hai oose zibh kar le to phir woh halaal hai.

Machhli aur Tiddi ka shikaar

2573. Agar oos machhli ko jo paidayish ke lehaaz se chhilke waali ho – agarche kisi 'arzi wajah se oos ka chhilka uutar gaya ho – paani mein se zinda padak liya jaaye aur woh paani se baahar aakar mar jaaye to woh paak hai aur oos ka khaana halaal hai. Agar woh paani mein mar jaaye to paak hai laikin oos ka khaana haraam hai. Agarche woh zehar ki tarah kisi cheez se mare. Magar yeh keh woh machhere ke jaal ke andar paani mein mar jaaye to iis suurat mein oos ka khaana halaal hai. Jis machhli chhilke na hon agarche oose pzzni se zinda pakad liyaa jaaye aur paani ke baahar mar jaaye to haraam hai.
2574. Agar machhli (uuchhal kar) paani ke baahar aa gire ya paani ki lehar oose baahar phenk de ya paani jazb ho jaaye aur machhli khuski par rah jaaye to agar oos ke marne se pahle koi shakhs oose hathh se ya kisi aur zariye se pakad le to woh marne ke b'ad halaal hai. Agar pakadne se pahle mar jaaye to haraam hai.
2575. Jo shakhs machhli ka shikaar kare oos ke liye laazim nahin keh musalmaan ho ya machhli ke pakadte vaqt Khuda ka naam le laikin yeh zaruri hai keh musalmaan dekhe ya kisi aur tariqe se musalmaan ko yeh itminaan ho gaya ho keh machhli ko paani se zinda pakda hai yaw o machhli oos ke jaal mein paani ke andar mar gayee hai
2576. Jis marii huyee machhli ke mut'aliq m'aloom na ho keh oose paani se zinda pakda gaya hai ya murda haalat mein pakda gaya hai, agar woh musalmaan ke haathh mein ho jo oos mein bechne ya khaane ki tarah ka tasarruf kar raha hai jo oos ke halaal hone ka sabot hai to woh halaal hai. Laikin agar kaafir ke hathh mein ho to khawah woh kahe keh oos ne oose zinda pakda hai, haraam hai. Magar yeh keh insaan ko itminaan ho keh oos kaafir ne mchhli ko paani se zinda pakda hai yaw o machhli oos ke jaal mein paani ke andar mar gayee hai (to halaal hai).
2577. Zinda machhli ka khaana jayez hai.
2578. Agar zinda machhli ko bhoon liya jaaye ya oose paani ke baahar marne se pahle zibh kar diya jaaye to oos ka khaana jayez hai.
2579. Agar paani se baahar machhli ke do tukde kar liye jaayen aur oon mein se ek tukda zinda hone ki haalat mein paani mein gir jaaye to jo tukda paani se baahar rah jaaye oose khaana jayez hai.
2580. Agar tiddi ko hathh se ya kisi aur zariye se zinda pakad liya jaaye to woh mar jaane ke b'ad halaal hai aur yeh laazim nahin keh oose pakadne wala musalmaan ho aur oose pakadte vaqt

Alllah ka naam le. Laikin agar murda tiddi kaafir ke hathh mein ho aur yeh m'aloom ho keh oos ne oose zinda pakda thha ya nahin to agar chew o kahe keh oos ne oose zinda pakda thha to woh haraam hai.
2581. Jis tiddi ke par abhi tak na uuge hon aur uud na sakti ho oos ka khan haraam hai.

Khaane peene ki cheezon ke Ehkaam

2582. Har woh parinda jise shaheen, a'qaab, b'az aur gidh jo cheezein, phadne aur panje wala ho haraam hai. Isii tarah kauwe ki tama qismein yahan tak keh pahadi kauwe bhi ehtayaat-e-waajib ki bina par haraam hain. Har woh parinda jo udte vaqt padon ko maarta kam beharkat zayada karta hai aur panjedaar hai haraam hota hai. Har woh parinda jo udte vaqt paro ko maarta kam aur beharkat kam rakhta hai, woh halaal hai. Isii farq ki biona par haraam gosht parindo ko halaal gosht parindo mein se oon ki parwaaz ki kaifiyat dekha kar pehchaana ja sakta hai. Laikin agar kisi parinde ki parwaaz ki kaifiyat ma'loom na ho to agar woh parinda pota, sangdana aur paaon ki pusht par kantaa rakhta ho to woh halaal hai aur agar oon mein se koi ek a'alamat bhi na rakhta ho to haraam hai aur jin parindo ka zikr ho chuuka hai oon ke a'lawa dusre tamaam parinde maslan murgh, kabootar aur chidyan yahan tak keh shutarmurgh aur mor bhi halaal hain. Laikin ba'az parindo jaise hud hud aur ababeel ko zibh karna makruh hai. Jo haiwaanaat udte hain magar par nahin rakhte maslan chamgaadar haraam hain aur ehtayaat-e-waajib ki bina par zanboor (bhed, shahed ki makhhi, tatiya) machchhar aur udne waale dusre kide makaudeo ka bhi yahi hukm hai.
2583. Agar oos hisse ko jis mein rooh ho zinda haiwaan se juda kar liye jaaye maslan zinda bhed ki chakti ya gosht ki kuchh miqdaar kaat li jaaye to woh najis aur haraam hai.
2584. Halaal gosht haiwaanaat ke kuchh ajza haraam hain aur oon ki ta'adaad 14 hain:
(1) Khoon (2) Fazlah (3) A'zutanaasil (4) Sharmgaah
(5) Bachchedaani (6) gharood (7) kapoore (8) Woh cheezein jo bejhe mein hoti hai aur chane ke daane ki shakal mein hoti hain.
(9) Haraam maghaz jo reedh ki haddi mein hota hai.
(10) Binabar ehtayaa-e-waajib woh ragen jo reedh ki haddi ke dono taraf hoti hai. (11) Pitta (12) tilli (13) Massana (14) Aankh ka dhelaa.
2585. Haraam gosht haiwaanaat ka peshaab peena haraam hai aur isii tarah halaal gosht haiwaan – hatta keh ehtayaat - laazim ki bina par oont – ke peshaab ka bhi yahi hukm hai. Laikin I'laaj keliye oont, gaaye aur bhed ka peshaab peene mein ishkaal nahin hai.
2586. Chikni mitti khaana haraam hai neiz mitti aur bajri khaana ehtayaat-e-laazim ki bina par yahi hukm rakta hai. Albatta (multani mitti ke mumassil) daghastaani aur aarminiyaani mitti waghairah I'laaj ke liye bahaalat majboori khaane mein koi ishkaal nahin hai. Hasool shafa ki gharz se sayyed ulshohda Imam Husain Alaihe Salaam ke mazaar mubarak ki mitti (y'ani khaake shafa) ki thodi si miqdaar ek chane ke barabar khaana jayezahai. Agar oos khaake shafa ko mazaar mubaarak ya a'itraaf se khud na uthhaya ho to agar oos par khaak shafa kahna saadiq aaye to ehtayaat-e-waajib ki binba par zaruri hai keh oos ki kuch miqdaar paani mein ya jaisi kisi cheez mein hal kar li jaaye takeh woh (hal ho kar) khatm ho jaaye aur ba'd mein oos paani ko pee liya jaaye. Isii tarah ehtayatt ki bina par aisii mitti ke baare mein bhi yahi ra'ayiyat rakhi jaaye jis ke baare mein yaqeen na ho keh oose turbat aqdas se uthhaya gaya hai aur oos par koi gawaah bhi na ho.
2587. Naak ka paani aur seene ka balgham jo moonh mein aa jaaye oos ka nigalna haraam nahin hai. Neiz iis ghaza ke nigalne mein jo khalaal karte vaqt daanto ke rekhon se nikale koi ishkaal nahin hai.

2588. Kisi aisii cheez ka khaana haram hai jo maut ka sabab bane ya insaan ke liye sakhat nuqsaandeh ho.
2589. Ghode, khachchar aur gadhe ka gosht khaana makruh hai aur agar koi shakhs oos ne bad fa'eli kare to woh haiwaan haraam ho jata hai aur jo dhoodh aur nasl badfa'eli ke b'ad paida ho ehtayaat-ewaajib ki bina par woh bhi haraam ho jati hai aur oon ka peshaab aur leed najis ho jati hai aur zaruri hai keh oonhaein shahar se baahar le jakar dusri jagah bech diya jaaye aur agar badfa'eli karne wala oos haiwaan ka maalik na ho to oos par laazim hai keh oos haiwaan ki qimat oose ke maalik ko de. Aur oos haiwaan ko bech kar jo qomat wasool ho woh badfa'eli karne waale ki hai. Agar koi shakhs aise haiwaan se jis ka gosht khaaya jaata hai maslan gaaye, bhed aur oont waghairah se badfa'eli kare to oon ka peshaab aur gobar najis ho jata hai aur oon ka gosht khaana haraam hai aur ehtayaat-e-waajib ki bina par oos ka dhoodh peene ka aur oon ki jo nasl badfa'eli ke b'ad paida ho oos ka bhi yahi hukm hai. Zaruri hai keh aise haiwaan ko fauran zibah kar ke jalaa diya jaaye aur jis ne oos haiwaan ke saath badfa'eli ki ho agar woh oos ka maalik na ho to oos ki qimat oos ke maalik ko de.
2590. Agar bakri ka bachcha soorani ka dhoodh itnii miqdaar mein pee le keh oos ka gosht aur haddi oos se quwat hasil kar to khud woh aur oos ki nasl haraam ho jaati hai aur agar woh oos se kam miqdaar mein dhoodh peeye to ehtayaat-e-waajib ki bina par zaruri hai keh oos ka istibra kiya jaaye aur oos ke ba'd woh halaal ho jata hai. Iis ka istibra yeh hai keh saat din paak dhoodh peeye aur agar oose dhoodh ki haajat na ho to saat din gaas khaaye. Bhed ka sheer khawaar bachcha aur gaaye ka bachcha aur dusre halaal gosht haiwaano ke bachche – ehtayaat-e-wwjib ki bina – bakri ke bachche ke hukm mein hain. Najaasat khaane waale haiwaan ka gosht khaana bhi haraam hai aur agar oos ka istibra kiya jaaye to halaal ho jata hai aur oos ke istibra ki tarkeeb massla no. 219 mein bayaan huyee hai.
2591. Sharaab peena haraam hai aur ba'z hadith mein iise goonaah kabeerah bataya gaya hai. Hazrat Ja'far Sadiq Alaihe salaam se riwaayat hai keh aap ne farmaya: "sharaab buraayion ki jad hai aur ginaaho ka manba' hai. Jo shakhs sharaab peeye woh apni a'qal kho baithhta hai. Woh oos vaqt Khuda t'al ko nahin pehchaanta, koi bhi goonaah karne se nahin chukta, kisi shakhs ka ehteraam nahin karta, apne farebi rishtedaaron ke haqooq ka paas nahin karta, khullam khulla burayee karne se nahin sharmaata. Agar sharaab ka sirf ek ghoont peeta hai to khuda, farishte, anbiya aur maumeneen oos par la'anat bejhte hai. Aur mukammil madhosh tak peeye to imaan aur Khuda shaasi ki rooh oos ke badan se nukal jaati hai aur naaqis khabees rooh jo Khuda ki rehmat se door ho jati hai oos ke badan mein rah jaati hai aur chaalis din tak oos ki namaaz qabool nahin hoti.
2592. Jis dastar khwan par sharaab pee ja rahi ho oos par chooni huyee joi cheez khaana haraam hai aur isii tarah oos dastar khwaan baithhna jis par sharaab pee ja rahi ho ehtayaat-e-waajib ki bina par haraam hai.
2593. Har musalmaan par waajib hai keh oos kea dos pados mein jab koi dasra musalmaan bhook ya payaas se jaa balab ho to oose roti aur paani de kar marne se bachaye. Bashart hai keh iis tarah oos ki apni jaan khatre mein na pade aur isii tarah agar woh shakhs musalmaan nab hi ho to yahi hukm hai kiyoon na keh woh ek insaan hai aur oos ka qatl jayez nahin.

Khaana Khaane Ke A'adaab

2594. Khaana khaane ke a'adaab mein chand cheezein mustahab shumaar ki gayee hain:

(1) Khaane khaane se pahle dono haath dhoyen.
(2) Kaana khaa lene ke b'ad apne haath dhoye aur rumaal (tawliye waghairah) se khusk kare.
(3) Mezbaan sab se pahle khaana khana shuru' kare aur sab ke ba'd khaane se haath khinche. Khaana shuru' karne se qabl mezbaan sab se pahle apne haath dhoye oos ke ba'd jo shakhs oos ki dayen taraf baithha ho woh dhoye aur isii tarah silsilewaar haath dhote rahen hatta keh naubat oos shakhs taka a jaye jo oos ke bayen taraf baithha ho aur khaana khaa lene ke ba'd jo shakhs mezbaan ki bayen taraf baithha ho wab se pahle woh haath dhoye aur isii tarah dhote chale jayen hatta keh naubat nezbaan tak pohoonch jaye.
(4) Khaana khaane se pahle Bismillah padhe laikin agar ek dastar khawan par anwa' wa aqsaam ke khaane hon to oon mein se hat khaana, khaane se pahle Bismillah padhna mustahab hai.
(5) Khaana dayen haath se khaaye.
(6) Teen ya zayada oonglion se khaana khaaye aur do oonglion se na khaye.
(7) Agar chand ashkhaas dastarkhawan par baithhe hain to har ek apne saamne se khaana khaaye.
(8) Chhote chhote luqme banaakar khaaye.
(9) Dastarkhawan par zayada deir baithhe aur khaane ko tuul de.
(10) Khaana khoob achhi tarah chabaa kar khaaye.
(11) Khaana khaa lene ke ba'd Allah ta'ala ka shukr adaa kare.
(12) Oonglion ko chaate.
(13) Khaana khaane ke ba'd daanton mein khula kare. Albatta rehaan ke tinke, anaar ki lakdi ya khajoor ke darakht ke tinke aur patte se khula na kare.
(14) Jo ghaza dastarkhawan se baahar gir jaye oose jam'a kare aur khaa le. Laikin agar joongle mein khaana khaaye to mustahab hai keh jo kuchh gire oose parindo aur jaanwaron ke liye chod de.
(15) Din aur raat ki ibteda mein khaana khaaye aur din ke dirmiyaan mein aur raat ke dirmiyaanmein na khaye.
(16) Khaana khaane ke ba'd peethh ke bal lete aur dayen pair ko bayen paon par rakhe.
(17) Khaana shuru' karte vaqt aur khaa lene ke ba'd namak chakhe.
(18) Phal khaane se pahle oonhein paani se dho le.

Woh baatein jo khaana khaate vaqt mazmum hain

2595. Khaane khaate vaqt chand baatein mazmum shuumaar ki gayee hain:
(1) Bhare peit khaana khaana.
(2) Bohut zayada khaana – riwayat mein hai keh Khuda wand a'lam peit bhare shakhs se dusri har cheez se zayada nafrat karta hai.
(3) Khaana khaate vaqt dasron ke moonh ki taraf dekhnaa.
(4) Garam khaana khaana.
(5) Jo cheez khaayee pee jati rahi ho oose phoonk maarna.
(6) Dastarkhawan par khaana lag jaane ke ba'd kisi aur cheez ka moontazir hone.
(7) Rotii ko chhadi se kaatna.
(8) Rotii ko khaane ke bartan ke neeche rakhna.
(9) Haddi se chipke huye gosht ko yoon khaana keh haddi par bilkul gosht baaqi na rahe.

(10) Oos phal ka chhilka uutaarna jo chhilke ke saathh khaya jata hai.
(11) Phal poora khaane se pahle phenk denaa.

Paani peene ke aa'daab

2596. Paani peene ke aa'daab mein chand cheezein shuumaar ki gayee hain:
(1) Paani chuusne ki tarz par peeye.
(2) Paani din mein khade ho kar peeye.
(3) Paani peene se pahle Bismillah aur peen eke ba'd Alhamdulillah kahe.
(4) Paani (ghata ghat na peeye balkeh) teen saans mein peeye.
(5) Paani khawahish ke mutabiq peeye.
(6) Paani peen eke ba'd Hazrat Imam Husain Alaihe salaam aur iin ke ahle bait (a. s) ko yaad kare aur oon ke qaatilon par la'anat bejhe.

2597. Zayada paani peena, murghan khaane ke ba'd paani peena aur raat ko khade ho kar paani peena mazmum shumaar kiya gaya hai. A'lawa azeen paani bayen haath se peena aur isii tarah kize (waghairah) ki tooti huyee jagah se aur oos jagah se peena jahan koze ka dasta ho mazmum shumaar kiya gaya hai.

Mannat aur A'had ke Ehkaam

2598. "Mannat" yeh hai ke insaan apne a'ap par waajib kar le keh Allah ta'ala ki raza ke liye koi achha kaam karega ya koi aisa kaam jis ka na karna behtar ho tark kar dega.

2599. Mannat meinsegha padhna zaruri hai magar laazim nahin keh segha a'rbi mein hi padha jaye lehaaza agar koi shakhs kahe keh "mera mareez sehatyaab ho gaya to Allah ki khatir mujh par laazim hai keh main das rupayye faqeer ko doon" to oos ki mannat sahi hai. Ya yoon kahe keh Allah ki khatir main ne yeh mannat maani hai to ehtayaat-e-waajib ki bina par zaruri hai keh oos par a'mal kare. Laikin agar Alaah ka naam na le sirf yeh kahe keh main ne mannat maani hai ya auliya allah mein se kisi ka naam le to mannat sahi nahi hai. Agar nazr sahi ho aur mukallif jaan bhoojh kar oos par a'mal na kare to goonaah hai. Oose chahiye keh kaffara de. Mannat poori na karne ka kaffara qasam ki mukhalefat karne ke jaisa kaffara hai oos ka bayaan ba'd mein hoga.

2600. Zaruri hai keh mannat manne wala baaligh aur a'aqil ho neiz apne iraade aur ikhtayaar ke saathh mannat maane. Lehaaza kisi aise shakhs ka mannar manna jise majboor kiya jaye ya jo jazbaat mein aakar baghair iraade ke be ikhtayaar mannat maane to sahi nahin hai.

2601. Koi safia (woh shakhs jo apna maal bekaar kaamon mein kharch karta ho) agar mannat maane maslan yeh keh koi cheez faqeer ko dega to oos ki mannat sahi nahin hai. Isii tarah se agar koi diwaaliya shakhs mannat maane keh maslan apne oos maal mein se jis mein tasarruf karne se oose rok diya gya ho koi cheez faqeer ko dega to oos ki mannat sahi nahi hai.

2602. Aurat ka shauhar se ijaazat liye baghair oon kaamon mein mannat manna jo shauhar ke haqooq ke manafi hon ya mannat ke ba'd ijaazat lenaa sahi nahi hai. Agarche shaadi se pahle mannat maane aur aurat ka apne maal mein shauhar ki ijaazat ke baghair mannat manna mehal ishkaal hai. Iis liye ehtayaat ki ra'uyiyat karna zaruri hai. Laikin (apne maal mein se shauhar ki ijaazat ke baghair) hajj karna, aur sadqa dena aur maa baap se jin salook aur rishtedaaron se sulah rehami karna (sahi hai).

2603. Agar aurat shauhar ki ijaazat se mannat maane to shauhar oos ki mannat khatm nahin kar sakta aur naa hi oose mannat par a'mal karne se rok sakta hai.

2604. Bete ke mannat manne par baap ki ijaazat shart nahin laikin agar baap ya maan oose iis kaam se jis ki oos ne mannat maani ho mana' kare aur oon ka yeh mana' karna shafqat ki bina par ho jis ki mukhalfat karna oon ki azeeyat ka sabab ho to bete ki mannat batil hai.
2605. Insaan kisi aise kaam ki mannat maan sakta hai jise anjaam denaa oos ke liye mumkin ho. Lehaaza jo shakhs maslan paidal chal kar karbala na ja sakta ho agar woh mannat maane keh wahan tak paidal jayegaa to oos ki mannat sahi nahi hai. Agar mannat maante vaqt qudrat rakhta thha aur ba'd mein a'ajiz ho jaye top oos ka mannat manna batil hai aur oos par kuchh bhi waajib nahin siwaye oon mawaq'e mein jahan roza rakhne ki mnnat maani ho aur roza ba rakh sake to ehtayaat-e-waajib yeh hai keh har din ke roze ke ba'd 750 gram ghiza faqeer ko sadqa de ya 150 gram ghiza oos aadmi ko de jo oos ke badle roza rakhega.
2606. Agar koi shakhs mannat maane keh koi haraam ya makruh kaam anjaam degaa ya koi waajib ya mustahab kaam tark kar degaa to oos ki mannat sahi nahin hai.
2607. Agar koi shakhs mannat maane keh kisi mubaah kaam ko anjaam dega ya tark karega. Lehaaza agar oos kaam ka baja laana aur tark karna har lehaaz se massawi ho to oos ki mannat sahi nahin. Aur agar oos kaam ka anjaam denaa shara'ee lehaaz se behtar ho aur insaan mannat bhi oosi lehaaz se maane maslan mannat maane keh koi (khaas) ghiza khayega takeh Allah ki I'badat ke liye oose tawanayee hasil ho to oos ki mannat sahi hai. Agar oos kaam ka tark karna shara'ee lehaaz se behtar ho aur insaan mannat bhi oosi lehaaz se maane keh oos kaam ko tark kar degaa maslan choonk eh tambakoo ko mazr (sehat) aur wazayif shara'ee ko ehsan tareeqe se anjaam dene mein rukaawat hai iis liye mannat maane keh oose iste'maal nahin karega to oos ki mannat sahi hai. Laikin agar ba'd mein tambakoo ka iste'maal tark karna oos ke liye nuqsaandeh ho to oos ki mannat ka la'dam ho jayega.
2608. Agar koi shakhs mannat maane keh waajib namaaz aisii jagah padhegaa jahan bajaye khud namaaz padhne ka sawaab zayada nahin, maslan mannat maane keh namaaz kamre mein padhegaa to agar wahan namaaz padhna shara'ee lehaaz se behtar ho, maslan chukeh wahan khaloot hai iis liye insaan hazoor qalb paida kar sakta hai, agar oos ke mannat manne ka maqsad yehi hai to mannat sahi hai.
2609. Agar ek shakhs koi a'mal baja lane ki mannat maane to zaruri hai keh woh a'mal oosi tarah baja laye jis tarah mannat maani ho. Lehaaza agar mannat maane keh mahine ki pahli tareekh ko sadqz degaa ya roza rakhegaa ya (mahine ki pahli tareekh ko) awwal maah ki namaaz padhegaa to agar oos din se pahle ya ba'd mein oos a'mal ko baja laaye to kaafi nahi hai. Isii tarah agar koi shakhs mannat maane keh jab oos ka mareez sehatyaab ho jayega to woh sadqa degaa to agar oos mareez ke sehatyaab hone se pahle sadqa de de to kaafi hai.
2610. Agar koi shakhs roza rakhne ki mannat maane laikin rozon ka vaqt aur ta'adaad mo'yyin na kare to agar woh ek roza rakhe to kaafi hai. Agar namaaz padhne ki mannat maane aur namaazon ki miqdaar aur khususiyaat mo'yyin na kare to agar ek do rak'ati namaz witr padh le to kaafi hai. Agar mannat maane keh sadqa degaa aur sadqa ki jins aur miqdaar mo'yyin na kare to agar aisii cheezein de keh log kahen keh oos ne sadqa diya hai to phir oos ne apni mannat ke mutabiq a'mal kar diya hai. Agar mannat maane keh koi kaam Allah ta'ala ki khushnudgi ke liye baja layegaa to agar ek (do rak'ati) namaaz padh le ya ek roza rakh le ya koi cheez sadqa de de to oos ne apni mannat poori kar li hai.
2611. Agar koi shakhs mannat maane keh ek khaas din roza rakhega to zaruri hai keh oosi din roza rakhe aur jaan bhoojh kar roza na rake to zaruri hai keh oos din ke roze ki qaza ke a'lawa kaffara bhi de laikin oos din woh ikhtayaaran yeh kar sakta hai keh saqfar kare aur roza na rakhe. Agar safar mein ho to laazim nahin keh thherne ki niyyat kar ke roza rakhe. Aur oos suurat mein

jabkeh safar ki wajah se ya kisi dusre azr maslan beemari ya haiz ki wajah se roza na rakhe to laazim hai keh roza ki qaza kare laikin kaffara nahin hai.
2612. Agar insaan haalat e ikhtayaar mein apni mannat par a'mal na kare to kafaara denaa zaruri hai.
2613. Agar koi shakhs ek mo'yyin vaqt tak koi a'maltark karne ki mannat maane to oos vaqt ke guzarne ke ba'd oos a'mal ko baja la sakta hai. Laikin phir bhi laazim hai keh woh vaqt aane tak oos a'mal ko anjaam na de aur agar oos vaqt ke aane se pahle baghair uzr ko dobara anjaam de to zaruri hai keh kaffara de.
2614. Jis shakhs ne koi a'mal tark karne mannat maani ho aur oos ke liye koi vaqt mo'yyin bna kiya ho agar woh bhool kar ya baamr ya ghaflat ya ashtaba ki wajah se oos a''mal ko anjaam de ya koi oos ko majboor kare ya jahil qasir ho to oos par kaffara waajib nahin hai. Laikin oos ki nazr baaqi rahe aur agar oos ke ba'd jab bhi bahaalat ikhtayaar oos a'mal ko baja laye zaruri hai keh kaffara de.
2615. Agar koi shakhs mannat maane keh har haft eek mo'yyin din ka maslan jumm'e ka roza rakhegaa to agar ek jume' ke din Eid ul fitr ya Eid ul Qurban pad jaye ya juma' ke din oose koi azr maslan safar dar pesh ho ya haiz aa jaye to zaruri hai keh oos din roza na rakhe aur oos ki qaza baja laye.
2616. Agar koi shakhs mannat maane keh ek mo'yyin miqdaar mein sadqa degaa to agar woh sadqa dene se pahle mar jaye to waaris ko oos ke maal mein se ootni miqdaar mein sadqa denaa laazim nahin hai aur behtar yeh hai keh oos ke baaligh wirsa meeraas mein se oose apne hisse se ootni miqdaar mayyat ki taraf se sadqa de dein.
2617. Agar koi shakhs mannat maane keh ek mo'yyin faqeer ko sadqa degaa to kisi dusre ko nahin de sakta aur agar woh mo'yyin karda faqeer mar jaye to oos ke wirsa ko pohoonchaana laazim nahin hai.
2618. Agar koi shakhs mannat maane keh a'ima alaihemus salaam mein se kisi ek ki maslan Hazrat Husain alaihe salaam ki zayaarat se musharraf hoga to agar woh kisi dusre Imam ki ziyaarat ke liye jaye to yeh kaafi nahin hai aur agar kisi azr kis wajah se oon Imam (a. s) ki ziyaarat na kar sake to oos par kuchh bhi waajib nahin hai.
2619. Jis shakhs ne ziyaarat katrne ki mannat maani ho laikin ghusl ziyaarat aur oos ki namaaz ki mannat na maani ho to oos ke liye oonhein baja lana laazim nahin hai.
2620. Agar koi shakhs kisi Imam ya Imaamzaade ke haram ke liye maal kharch karne ki mannat maane keh aur koi khaas musarraf mo'yyin na kareto zaruri hai keh oos maal ko oos haram ki ta'ameer (wa marammat) roshnion aur qaleen waghairah par surf kare. Agar aisaa karna mumkin na ho yaw o haram mukammil taur par beneyaaz ho to oos haram ke zarurat mand zayereen ki maddad mein kharch kare.
2621. Agar koi shakhs paighambar Akram sallallaho alaihe wa a'lehi wassallam ya a'ima alaihe mus salaam mein se kisi Imaam zaadeya u'amaye saabeqeen aur oon jaisii hastion mein se kisi ke liye koi cheez nazr kare to agar kisi mo'yyin massarruf ki niyyat ki ho to zaruri hai keh oos cheez ko oosi massarruf mein laye. Aur agar kisi mo'yyin massarruf ki niyyat na ki ho to zaruri hai keh oose aise massarruf mein le aaye jo oon Hazrat se nisbat rakhta ho maslan oon ke naadaar zayereen pkharch kare ya oon ke haram ke massarif par kharch kare ya aise kaamon mein kharch kare jo oon ka tazkerah a'am karne ka sabab hon.
2622. Jis bhed ko sadqe ke liye ya kisi Imaam ke liye nazr kiya jaye agar woh nazr ke massarruf mein laye jaane se pahle dhoodh de ya bachcha jane to woh (dhoodh ya bachcha) oos ka maal hai jis ne oos bhed kio nazr kiya ho, magar yeh keh oos ki niyyat a'am ho (y'ani nazr karne waale ne

oos bhed, oos ke bachche aur dhoodh waghairah sab cheezon ki mannat maani ho to woh sab nazr hai) albatta bhed ki uoon aur jis miqdaar mein woh farba ho jaye nazr ka jazu hai.

2623. Jab koi mannat maane keh agar ooska mareez tandrust ho jaye ya oos ka musafir waapas aa jaye to woh falan kaam karegaa to agar pata chale keh mannat manne se pahle mareez tandrust ho gaya thha ya musaafir aa gaya thha to phir manna par a'mal karna laazim nahin.

2624. Agar baap ya maa manna maaney keh apni beti ki shaadi kisi sayeed zaade ya kisi shakhs se karege to ladki ke baare mein waldain ki mannat ki koi ehmiyat nahin aur ladki kisi cheez ki mukallif nahin.

2625. Jab koi shakhs Allah Ta'ala se a'had kare keh jab oos ki koi mo'yyin shara'ee haajat poori ho jayegi to falan kaam karegaa. Pas jab ooski haajat poori ho jaye to zaruri hai woh kaam anjaam de. Neiz agar woh kisi haajat ka zikr kiye baghair a'had keh falan kaam anjaam degaa to woh kaam karna oos par waajib ho jata hai.

2626. A'had mein bhi mannat ki tarah segha padhna zaruri hai. Maslan yoon keh den keh main Khuda se a'had karta hoon keh main yeh kaam karoonga. Yeh zaruri nahin hai keh jis kaam ka a'had kiya jaye woh shar'ee taur par achchha ho balkeh oosi qadr kaafi hai keh shari'at mein oos kaam se na roka gaya ho aur a'qla ke nazdeek ba maqsad qarra paaye. Ya oos shakhs ke liye oos mein koi masslihat ho aur agar a'had karne ke ba'd aisa ho jaye keh oos kaam ki koi masslihat na rahe ya shar'an tarjeeh ke qabil na rahe aur makruh qarrar paya jaye to zaruri hai keh oos par a'mal kare.

2627. Agar koi shakhs apne a'had par a'mal na kare to woh goonaahgaar hai aur zaruri hai keh kaffara de y'ani saathh faqeeron ko pait bhar kar khaana khilaye ya do mahine musalsal roze rakhe ya ek ghulaam ko aazaad kare.

Qasam khaane ke Ehkaam

2628. Jab koi shakhs qasam khaye keh falan kaam anjaam degaa ya tark karegaa maslan qasam khaye keh roza rakhegaa ya tambaakoo ko iste'maal nahin karegaa to agar ba'd mein jaan bhoojh kar oos qasam ke khilaaf a'mal kare to woh goonaah gaar hai aur zaruri hai keh kaffara de y'ani ek ghulaam aazad kare ya das faqeeron ko pait bhar kar khaana khilaye ya oonhein poshaak pehnaaye aur agar oon a'maal ko baja na la sakta ho to zaruri hai kegh teen din musalsal roze rakhe.

2629. Qasam ki chand shartein hain:

(1) Jo shakhs qasam khaaye zaruri hai keh woh baaligh aur a'qil ho neiz apne iraade aur ikhtayaar se qasam khaaye. Lehaaza bachche, deewaane, behawaas aur oos shakhs ka qasam khaana jise majboor kiya gaya ho durust nahin hai aur agar koi shakhs jazbaat mein aa kar bila iraada ya be ikhtayaar qasam khaaye to oos ke liye bhi yahi hukm hai.

(2) (Qasam khaane wala) jis kaam ke anjaam dene ki qasam khaaye, zaruri hai keh woh haraam ya makruh na ho aur jis kaam ke tark karne ki qasam khaaye, zaruri hai keh woh waajib ya mustahab na ho aur agar koi mubaah kaam karne ya na karne ki qasam khaaye to agar aqla' ki nazr mein oos kaam ko anjaam denaa ya oos ko tark karna behtar ho ya oos kaam mein qasam khaane waale ke liye koi dooniyaawi masslihat ho to oos ki qasam sahi hai.

(3) (Qasam khaane wala) Allah ta'ala ke naamon mein se kisi aise naam ki qasam khaaye jo oos zaat ke siwaaye kisi aur keliye iste'maal na hota ho maslan Khuda aur Alaah – ya Allah kli aisii safaat au raise afa'al se qasam khaaye jo sirf oosi ke saathh khaas hain. Maslan kahe: "oos zaat ki qasam! Jis ne aasmaano aur zameen ko paida kiya" – aur agar aise naam ki qasam khaaye jo Allah ki zaat ke siwaye kisi aur ke liye bhi

iste'maal hota hai laikin Allah ta'ala ke liye ootni kasrat se iste'maal ho keh jab bhi koi woh naam le to Khuda-e-buzurg wa barter ki zaat hi zehan mein aatii ho. Maslan agar koi khaliq aur raziq ki qasam khaaye to bhi qasam sahi hai. Balkeh agar kisi aise naam ki qasam khaaye keh jab oos naam ko qasam khaane ke maqaam mein iste'maal kiya jaaye to zaat haq hi zehan mein aatii ho maslan sama'e aur baser (ki qasam khaaye) tab bhi oos ki qasam sahi hai.

(4) (Qasam khaane wala) qasam ke alfaaz zabaan par laaye. Laikin agar goonga shakhs ishaare se qasam khaaye to sahi hai. Aur oosi tarah woh shakhs jo baat karne par qaadir na ho agar qasam ko likhe aur dil mein niyyat kar le to kaafi hai. Balkeh jo bol sakta hai woh bhi agar likhe to ehtayaat-e-waajib ki bina par oos par a'mal kiya jaye.

(5) (Qasam khaane waale ke liye) qasam par a'mal karna mumkin ho. Agar qasam khaane ke vaqt oos ke liye oos par a'mal karna mumkin na ho laikin ba'd mein mumkin ho jaaye to kaafi hai. Aur agar qasam khaate vaqt mumkin ho ba'd mein oos par a'mal karne se a'ajiz ho jaaye to jis vaqt se a'ajiz hoga oos vaqt se oos ki qasam ka l'adam ho jayega. Agar qasam par a'mal karne se itnii masshaqqat uuthhani pade jo oos ki bardasht se baahar ho to oos suurat mein bhi yahi hukm hai. Agar yeh a;jaz iis ikhtayaar se ho ya baghair ikhtayaar ke, agar takheer ke vaqt ke a'itbaar se oos ka koi a'zr na ho to oos ne goonaah kiya aur oos par kaffara waajib hai.

2630. Agar baap bete ko, ya shauhar, biwi ko qasam khaane se roke to oon ki qasam sahi nahin hai.

2631. Agar beta, baap ki ijaazat ke baghair aur biwi, shauhar ki ijaazat ke baghair qasam khaaye to baap aur shauhar oon ki qasam faskh kar sakta hain.

2632. Agar insaan bhool kar ya majboori ki wajah se ya ghaflat ki bina par qasam par a'mal na kare to oos par kaffara waajib nahin hai. Aur agar oose majboor kiya jaaye keh qasam par a'mal na kare tab bhi yahi hukm hai. Agar wahi qasam khaaye maslan yeh kahe keh wallah! Main abhi namaaz mein masshghul hota hoon aur vaham ki wajah se masshghul na ho to agar oos ka vaham aisaa ho keh oos ki wajah se majboor ho kar qasam par a'mal na kare to oos par kaffara nahin hai.

2633. Agar koi shakhs qasam khaaye keh main jo kuchh kah raha hoon sach kah raha hoon to agar woh sach kah raha hai to oos ka qasam khaana makruh hai aur agar jhoot bol raha hai to haraam hai. Balkeh maqaddmaat kef aisle ke vaqt jhooti qasam khaana kabeerah goonaah mein se hai laikin agar woh apne aap ko ya kisi dusre musalmaan ko kisi zaalim ke sar se nijaat dilaane ke liye jhooti qasam khaaye to oos mein ishkaal nahin balkeh ba'az auqaat aisii qasam khaana waajib ho jata hai. Taaham agar tauriya karna mumkin ho aur oos taraf tawajjo rakh bhi sakta hai to ehtayaat-e-waajib yeh hai keh tauriya kare. (Y'ani qasam khaate vaqt qasam ke alfaaz ke zahiri mafhum ko chod kar dusre matlab ki niyyat kare aur jo matlab oos ne liya hai oos ko zahir na kare) maslan agar koi zaalim kisi ko aziyat denaa chahe aur kisi dusre shakhs se puchhe keh kyat um ne falan shakhs ko dekha hai? Aur oos ne oos shakhs ko ek minute qabl dekhaa ho to woh kahe keh main ne oose nahin dekha aur qasd yeh kare keh oos vaqt se paanch minute pahle mein oose nahin dekha.

Waqf ke Ehkaam

2634. Agar ek shakhs koi cheez waqf kare to woh oos ki malkiyat se nikal jaati hai aur woh khud ya dusre log na hi woh cheez kisi dusre ko bech sakte hain aur na hi oose bech sakte hain aur na hi koi shakhs oos mein se kuchh bataur meeraas le sakta hai laikin ba'az suuraton mein jin ka zikr massla no. 2054 mein kiya gaya hai oose bechne mein ishkaal nahin.

2635. Yeh laazim nahin keh waqf ka seghaa a'rbi mein padha jaaye balkeh misaal ke taur par agar koi shakhs kahe keh main ne yeh kitaab taleba ulomon ke liye waqf kar di hai to waqf sahi hai. Balkeh a'mal se bhi waqf saabit ho jata hai. Maslan agar koi shakhs waqf ki niyyat se chatayee massjid mein daal de ya kisi a'maarat ko massjid ki niyyat se iis tarah banaaye jaise massajid banayee jaati hain to saabit ho jayegaa. Laikin sirf niyyat karne se waqf saabit nahin hota. Waqf ke sahi hone mein kisi ka qabool karna laazim nahin hai chahe waqf a'am ho ya khaas. Isii tarah oos mein qasd qurbat bhi zaruri nahin.
2636. Agar koi shakhs apni kisi cheez ko waqf karne ke liye mo'yyin kare aur waqf karne se pahle chhipaaye ya mar jaye to waqf waquf pazeer nahin hota. Isii tarah agar waqf khaas mein mauquf a'laiya ke qabze mein lene se pahle mar jaaye to bhi waqf pazeer nahin hota.
2637. Agar ek shakhs koi maal waqf kare to zaruri hai keh waqf karne ke vaqt se oos maal ko hamesha ke liye waqf kar de aur misaal ke taur par agar woh kahe keh yeh maal mere marne ke na'd waqf hogaa to choona keh woh maal seghaa padhne ke vaqt se oos ke marne ke vaqt tak nahin raha oos liye sahi nahin hai. Neiz agar kahe keh yeh maal das saal tak waqf rahegaa aur phir waqf nahin hoga ya yeh kahe keh maal das saal ke liye waqf hoga phir paanch saal ke liye waqf nahin hoga aur phir dobarah woh waqf ho jayega to eo waqf sahi nahin hai. Laikin agar oos dauraan "jins" ki niyyat kare to "jins" waq'ee ho jata hai.
2638. Khasusi waqf oos suurat mein sahi hai jab waqf karne wala waqf ka maal jin logo ke liye waqf kiya gaya hai oon key a oon ke vakeel ya sarparst ke tasarruf mein de de aur yeh kaafi hai keh tabqa' awwal mein se koi shakhs maujood ho woh oose apne tasarruf mein le le. Laikin agar koi shakhs koi cheez apne nabaaligh bachchon ke liye waqf kare agar woh waqf kare woh cheez oosi ki negahdaari mein ho to kaafi hai aur waqf sahi hai.
2639. A'am auqaat maslan madrason aur massajid waghairah mein qabza mo'atbar nahin hai balkeh sirf waqf karne se hi oon ka waqf hona saabit ho jata hai.
2640. Zaruri hai keh waqf karne wala baaligh aur a'qil ho neiz qasd aur ikhtayaar rakhta ho aur shara'an apne maal mein tasarruf kar sakta ho. Iis bina par agar safiya – y'ani woh shakhs jo apna maal nekaar kaamo mein kharch karta ho. Choon keh woh apne maal mein tasarruf karne ka haq nahin rakhta iis liye agar woh koi cheez waqf kare to sahi nahin hai.
2641. Agar koi shakhs kisi maal ko aise bachche ke liye waqf kare jo maa ke pait mein ho aur abhi paida na hua ho to oos waqf ka sahi hona mehal ishkaal hai aur laazim hai keh ehtayaat malhoot rakhi jaye. Laikin agar koi maal aise logon ke liye waqf kiya jaye jo abhi maujood hon aur oon ke ba'd oon logon ke liye waqf kiya jaaye jo ba'd mein paida hon to agarche waqf karte vaqt woh maa ke pait mein bhi na hon (woh waqf sahi hai). Maslan ek shakhs koi cheez apni aulaad ke liye waqf kare keh oon ke ba'd oos ke poton ke liye waqf hogii aur (aulaad ke) har giroh ke ba'd aane wala giroh oos waqf se istefaada karegaa to waqf sahi hai.
2642. Agar koi shakhs kisi cheez ko apne aap par waqf kare maslan koi dukaan waqf kar de takeh oos ki aamdani oos ke marne ke ba;d oos ke qarzon ki daayegii ya oos ki ibaadaat ki ujrat par kharch ki jaaye to yeh waqf sahi nahin hai. Laikin misaal ke taur par woh koi makaan fuqra ki rihaayish ke liye waqf kar de aur khud bhi faqeer ho jaaye to oos makaan mein rihaayish kar sakta hai. Albatta agar woh yoon waqf kare keh oos makaan ka kiraya fuqra mein taqseem karegaa, ba'd mein khud faqeer ho jaaye to oos ka oos maal mein se lenaa mehal ishkaal hai.
2643. Jo cheez kisi shakhs ne waqf ki ho agar oos ne oos ka matuli bhi mo'yyin kiya ho to zaruri hai keh hidaayaat ke mutabiq a'mal ho aur agar waqf ne matuli mo'yyin na kiya ho aur maal makhsus afraad par maslan apni aulaad ke liye waqf kiya ho to afraad oos se istefaada karne mein khud mukhtaar hain aur agar baaligh na hon to phir oon ka sarparast mukhtaar hai aur waqf se istefaada karne ke liye haakim shara' ki ijaazat laazim nahin. Laikin aise kaam jis

mein waqf ki behtari ya aayenda naslon ki bhalayee ho. Maslan waqf ki ta'ameer karna ya waqf ko kiraaye par denaa keh jis mein ba'd waale tabqe ke liye faida hai. To oos ka mukhtaar haakime shara' hai.

2644. Agar misaal ke taur par koi hsakhs kisi maal ko fuqra ya saadaat ke liye waqf kare ya iis maqsad se waqf kare keh oos maal ka moonafa' bataure khairaat diya jaye to oos suurat mein keh oos ne waqf ke liye matuli mo'yyin na kiya ho oos ka ikhtayaar haakime shara' ko hai.

2645. Agar koi shakhs kisi amlaak ko makhsus afraad maslan apni aulaad ke liye waqf karta hai keh ek pusht ke ba'd dusri pusht oos se istefaada kare to agar waqf ka matuli oos maal ke kiraaye par de de aur oos ke ba'd mar jaaye to ijaara baatil nahin hotaa. Laikin agar oos amlaak ka koi matuli na ho aur oos maal ko kiraaye par de de aur oos ke ba'd mar jaaye to ijaarah batil nahin hota. Laikin agar oos amlaak jka koi matuli na ho aur jon logon ke liye woh amlaak waqf huyee hai oon mein se ek pusht oose kiraaye par de de aur ijaare ki muddat ke dauraan woh pusht mar jaaye aur jo pusht oos ke ba'd ho woh oos ijaare ki tasdeeq na kare to ijaarah batil ho jayega aur oos suurat mein agar kiraayedaar ne poori muddat ka kiraaya adaa kar rakha ho to ijaara batil hone ke vaqt se ijaarae ki muddat ke khaatme tak ka kiraaya (marne waale ke maal se) waapas le sakta hai.

2646. Agar waqf karda amlaak barbaad bhi ho jaaye to oos ke waqf ki haisiyat nahin badalti bajuz oos suurat ke keh waqf ki huyee cheez kisi khaas maqsad ke liye waqf ho aur woh maqsad faut ho jaaye maslan kisi ne koi baagh bataure baagh waqf kiya ho to agar woh baagh kharaab ho jaaye to waqf batil ho jayegaa aur waqif ke wirsa ki malkiyat mein dobara daakhil ho jayegaa.

2647. Kisi amlaak ka kuchh hissa waqf ho aur kuchh hissa waqf na ho aur agar woh amlaak taqseem na ki gayee ho to waqf ka matuli aur oos hisse ka maalik jo waqf nahin hai waqf shuda hissa juda kar sakte hain.

2648. Agar waqf ka matuli khayanat kare maslan oos ka moonafa' mo'yyin madon mein iste'maal na kare to haakime shara' oos ke saathh kisi aameen shakhs ko laga de takeh woh matuli ko khayaanat se roke. Aur agar yeh mumkin na ho to haakime shara' oos ki jagah koi diyaanatdaar matuli muqarrar kar sakta hai.

2649. Jo qaleen (waghairah) Imaam baargaah ke liye waqf kiya gaya ho ose padhne ke liye massjid mein nahin le jaya ja sakta khawah woh massjid Imaam baargaah se malhaq kiyoon na ho. Laikin yeh maal Imaam baargaah ki malkiyat mein ho to matuli ki ijaazat se dusri jagah le ja sakte hain.

2650. Agar koi amlaak kisi massjid ki marammat ke liye waqf ki jaaye to agar oos massjid ko marammat ki zarurat na ho aur iis baat ki towaqqa' bhi na ho keh aayendah kuchh arse ba'd oose marammat ki zarurat hogii neiz oos amlaak ki aamdani ko jama' kar ke hifaazat karna bhi mumkin na ho keh ba'd mein oos massjid ki marammat mein laga di jayegi to iis suurat mein ehtayaat-e-laazim yeh hai keh oos amlaak ki aamdani ko oos kaam mein surf Kare jo waqf karne waale ke maqsud se nazdeektar ho maslan oos massjid ki koi dusri zarurat poori kar di jaaye ya kisi dusri massjid ki ta'ameer mein laga di jaaye.

2651. Agar koi shakhs koi amlaak waqf kare takeh oos ki aamdani massjid ki marammat par kharch ki jaaye aur Imaam jama'at aur massjid ke moazzin ko di jaaye to iis suurat mein keh oos shakhs ne har ek ke liye koi miqdaar mo'yyin ki ho to zaruri hai keh aamdani oosi ke mutabiq kharch ki jaaye. Aur agar mo'yyin na ki ho to zaruri hai keh pahle massjid ki marammat karayee jaaye aur phir bache to matuli oose Imaam jama'at aur moazzin ke darmiyaan jis tarah moonasib samjhe taqseem kar de laikin behtar yeh hai keh dono ashkhaas taqseem ek dusre se massalihat kar len.

Wasiyat ke Ehkaam

2652. “Wasiyat” yeh hai keh insaan takeed kare keh oos ke marne ke ba’d oos ke liye falan falan kaam kiye jayen ya yeh kahe keh oos ke marne ke ba’d oos ke maal mein se koi cheez fa;an shakhs ki malkiyat hogi ya oos ke maal mein se koi cheez kisi shakhs ki malkiyat mein de di jaaye ya khairaat ki jaaye ya umoor khairaya par kharch ki jaaye ya apni aulaad ke liye aur jo log oos ki kafaliyat mein ho noon ke liye kisi ko nigraan aur sarparast muqarrar kare aur jis shakhs ko wasiyat ki jaaye oose “wasiyat” kahte hain.

2653. Jo shakhs bol na sakta ho agar woh ishaare se apna maqsad samjha de to woh har kaam ke liye wasiyat kar sakta hai balkeh jo shakhs bol sakta ho agar woh bhi iis tarah ishaare se wasiyat kare keh oos ka maqsad samajh mein aa jaaye to wasiyat sahi hai.

2654. Agar aisii tehreer mil jaaye jis par marne waale ke dastakhat ya mohur sibt ho agar oos tehreer se oos ka maqsad samajh mein aa jaaye aur pata chal jaaye keh yeh cheez oos ne wasiyat ki gharz se likhi hai to oos ke mutabiq a’mal karna chahiye.

2655. Jo shakhs wasiyat kare zaruri hai keh baaligh aur a’aqil ho, safia na ho aur apne ikhtayaar se wasiyat kare. Lehaaza naabaligh bachche ka wasiyat karna sahi nahin hai. Magar yeh keh bachcha das saal ka ho aur oos ne apne ristedaaron ke liye wasiyat ki ho ya a’am khairaat mein kharch karne ki wasiyat ki ho to oon dono suuraton mein oos ki wasiyat sahi hai. Agar apne ristedaaron ke a’lawa kisi dusre ke liye wasiyat kare ya saat saala bachcha wasiyat kare keh “oos ke amwaal mein se thodi si cheez kisi shakhs ke liye hai ya kisi shakhs ko de di jaaye” to wasiyat ka nafiz hona ishkaal hai pas zaruri hai keh ehtayaat ka klhayaal rakha jaaye. Aur agar koi shakhs safia ho to oos ki wasiyat oos ke amwaal mein nafiz nahin hai. Leikin oo ke a’lawa dusre umoor mein nafiz hai. Maslan aise umoor mein jo oos ki tajheez wa takfeen se muta’aliq hain.

2656. Jis shakhs ne khudkhudi ka iraad akar ke maslan apne aap ko zakhmi kar liya ho ya zehar khaa liya ho keh jo halakat ka sabab hai, agar woh wasiyat kare keh oos ke maal ki kuchh miqdaar kisi makhsus musarraf mein layee jaaye aur oos ke ba’d woh mar jaaye to oos ki wasiyat sahi nahin hai. Magar yeh keh oos ki maut Allah ki raah mein jehaad karne ki wajah se ho (to wasiyat sahi hai) laikin ghair maali umoor mein oos ki wasiyat sahi hai.

2657. Agar koi shakhs wasiyat kare keh oos ki amlaak mein se koi cheez klisi dusre ka maal hogi to oos suurat mein jabkeh woh dasra shakhs wasiyat ko qabool kar le khawah oos ka qabool karna wasiyat kare waale ki zindagi mein ho khawah oos ke marne ke ba’d, to eo cheez “moosi” ki maut ke ba’d oos ki malkiyat ho jaayegi, bashart yeh hai keh woh cheez oos ke turke 1/3 se zayada na ho.

2658. Jab insaan apne aap mein maut ki nishaniyan dekh le zaruri hai keh logon ki amanatein fauran oon ke maalikon ko waapas kar de ya oonhaien itla’ de de. Iis tafseel ke mutabiq jo massle 2302 mein bayaan ho chuki hai. Agar woh logon ka maqruz ho aur qarze ki adaayegi ka vaqt na aaya ho ya aa gaya hoa aur qarz khawah apne qarze ka mutalba na kar raha ho ya kar raha ho agar woh khud qarza adaa karne ke qabil na ho to zaruri hai keh aisaa kaam kare jis se itminaan ho jaaye keh oos ka qarz oos ki maut ke ba’d qarz khawah ko adaa kar diya jaayega. Maslan oos suurat mein keh ooske qarze ka kisi dusre ko ilm na ho woh wasiyat kare aur gawahon ke saamne wasiyat kare. Leikin agar qarz ki adaayegi kar sakta ho aur vaqt ho chuuka ho aur qarzdaar mutaalba kar le to fauran adaa kare agar che maut ke aasaar bhi na dekhe.

2659. Jo shakhs apne aap mein maut ki nishaaniyan dekh raha ho agar zakaat khums aur mazalim oos ke zimme hon aur woh oonhain oos vaqt adaa na kar sakta ho leikin oo ke paas maal ho ya iis baat ka ehtemaal ho keh koi dasra shakhs ynhein adaa kar degaa to zaruri hai keh aisaa kaam kare jis se itminaan ho jaaye keh oos ke marne ke ba’d ada kar diye jayenge. Maslan kisi qabil ai’tmaad shakhs ko wasiyat kar de aur agar oos par hajj waajib ho aur khud na’eb

muqarrar na kar sakta ho to oos ka bhi yahi hukm hai. Leikin agar woh shakhs oos vaqt apne shara'ee waajiebaat adaa kar sakta ho, to zaruri hai keh fauran adaa kare agarche woh apne aap mein maut ki nishaaniyan na dekhe.
2660. Jo shakhs apne aap mein maut ki nishaaniyan dekh raha ho agar oos ki namaazein aur roze qaza huye hon to zaruri hai keh aisaa kaam kare jis se itminaan ho jaaye keh oos ke marne ke ba'd oos ki taraf se adaa kar diye jayenge. Maslan wasiyat kar de keh oos ke maal se oon abadaat ki adaayegi ke liye kisi ko ajeer banaya jaaye balkeh agar oos ke paas maal na ho leikin iis baat ka ehtemaal ho keh koi shakhs bila mu'awadha yeh ibaadaat baja laayega tab bhi oos par waajib hai keh wasiyat kare leikin agar oos ka apna koi ho maslan bada ladka ho aur woh shakhs jaanta ho keh agar oose khabar di jaayegi to woh oos ki qaza namaazein aur roze baja laayega to oose khabar denaa hi kaafi hai, wasiyat karna laazim nahin.
2661. Jo shakhs apne aap mein maut ki nishaaniyan dekh raha ho agar oos ka maal kisi ke paas ho ya aisii jagah chhipaa ho jiska wirsa ko ilm na ho to zaruri hai keh oonhein itla' deaur yeh laazim nahin keh woh apne naabaligh bachchon ke liye nigraan aur sarparast muqarrar kare laikin iis suurat mein jabkeh nigraan ka na honaa maal ke talf hone ka sabab ho ya khud bachchon ke liye nuqsaandeh ho to zaruri hai keh oon ke liye ek ameen nigraan muqarrar kare.
2662. Wasi ka a'aqil honaa zaruri hai. Niez khud umoor moosi se muta'aliq hain aur isii tarah ehtayaat-e-waajib ki bina par khud umoor dasron se muta'aliq hain zaruri hai keh wasi oon ke baare mein mutma'een ho aur zaruri hai keh musalmaan ka wasi bhi ehtayaat-e-waajib ki bina par musalmaan ho. Agar moosi faqt naabaligh bachche ke liye iis maqsad se wasiyat kare keh woh bachpan mein sarparast se ujaarat liye baighair tasarruf kar sake to ehtayaat-e-waajib ki bina par yeh sahi nahin hai. Aur zaruri hai keh oos ka tasarruf haakime shara'ee ki ijaazat se ho. Leikin agar moosi ka maqsad yeh ho keh baaligh hone ke ba'd ya sarparast ki ijaazat se tasarruf kare to koi ishkaal nahin hai.
2663. Agar koi shakhs kayee logon ko apna wasi mo'yyin kare to agar oos ne ijaazat di hai keh oon mein se har ek tanha wasiyat par a'mal kar sata hai to laazim nahin keh woh wasiyat anjaam dene mein ek dusre se ijaazat len. Aur agar wasiyat karne waale ne aisii koi ijaazat na di ho to khawah oos ne kaha ho keh sab mil kar wasiyat par a'mal Kare, oonhein chahiye keh ek dusre ki raaye ke mutabiq wasiyat par a'mal Kare aur agar woh mil kar wasiyat par a'mal karne par tayyar na hon aur mil kar a'mal na karne mein koi shar'ee azr na ho to haakime shara'ee oonhein aisaa karne par majboor kar sakta hai. Aur agar woh haakime shara'ee ka hukm na maane ya mil kar a'mal na karne ka oon ke paas koi shara'ee azr ho to woho on mein se kisi ek ki jagah koi aur wasi muqarrar kar sakta hai.
2664. Agar koi shakhs apni wasiyat se moonharraf ho jaaye maslan pahle woh yeh kahe keh oos ke maal ta teesraa hissa falan shakhs ko diya jaaye aur ba'd mein kahe keh oose na diya jaaye to wasiyat ka la'dam ho jaati hai. Aur agar koi shakhs apni wasiyat mein tabdeeli kar de maslan pahle ek shakhs ko apne bachchon ka nigraan muqarrar kare aur ba'd mein oos ki jagah kisi dusre shakhs ko nugraan muqarrar kar de to oos ki pahli wasiyat ka la'dam ho jaati hai aur zaruri hai keh oos ki dusri wasiyat par a'mal kiya jaaye.
2665. Agar ek shakhs koi aisaa kaam kare jis se pata chale keh woh apni wasiyat se moonharraf ho gaya hai maslan jis makaan ke baare mein wasiyat ki ho keh woh kisi ko diya jaaye oose bech de ya pahli wasiyat ko pesh nezr rakhte huye kisi dusre shakhs ko oose bechne ke liye vaqeel muqarrar kar de to wasiyat ka'dam ho jaati hai.
2666. Agar koi shakhs wasiyat kare keh ek mo'yyin cheez kisi shakhs ko di jaaye aur ba'd mein wasiyat kare keh oos cheez ka nasb hissa kisi aur shakhs ko diya jaaye to zaruri hai keh (oos cheez ke do hisse kiye jayen aur) oon dono ashkhaas mein se har ek ko ek hissa diya jaaye.

2667. Agar koi shakhs aise marz ki haalat mein jis marz se woh mar jaaye apne maal ki kuchh miqdaar kisi shakhs ki bakhash aur wasiyat kare keh mere marne ke ba'd maal ki kuchh miqdaar kisi aur shakhs ko bhhi di jaaye to agar oos maal ka teesra hissa dono maal ke liye kaafi na ho aur wirsa bhi teesre hisse se zayada miqdaar ki ijaazat dene par tayyar na hon to zaruri hai keh pahle jo maal oos ne bakhsha hai woh teesre hisse se de de aur oos ke ba'd jo maal baaqi bache woh wasiyat ke mutabiq kharch kare.

2668. Agar koi shakhs wasiyat kare keh oos ke maal ka teesra hissa becha jaaye aur oos ki aamdani ek mo'yyin kaam mein kharch ki jaaye to oos ke kahne ke mutabiq a'mal karna zaruri hai.

2669. Agar koi shakhs aise marz ki haalat mein jis marz se woh mar jaaye yeh kahe keh woh itnii miqdaar mein kisi shakhs ka maqruz hai, to agar oos par yeh tohmat ho keh oos ne yeh baat wirsa ko nuqsaan pohoonachaane ke liye ki hai to zaruri hai keh jo miqdaar qarz ki oos ne mo'yyin ki hai woh oos ke maal teesre hisse se di jaaye aur agar oos par yeh tohmat na ho to oos ka iqrar nafiz hai aur qarza oos ke asal maal se adaa karna zaruri hai.

2670. Jis shakhs ko insaan wasi kare keh koi cheez oose di jaaye yeh zaruri nahin keh wasiyat karne ke vaqt woh wuzud rakhta ho lehaaza agar woh shakhs wasiyat ek se zayada maqasid ke liye samjhi jaaye to zaruri hjai keh oos maal ko kisi aise dusre kaam mein surf kiya jaaye jo wasiyat karne waale ke maqsad se zayada qareeb ho warna wirsa khud oose aapas mein taqseem kar sakte hain. Leikin agar wasiyat kare keh marne ke ba'd oos ke maal mein se koi cheez kisi shkahs ka maal hogi to agar wi shakhs wasiyat karne waale ki maut ke vaqt maujood ho agarche (aurat ke pait mein) hamal (ki suurat mein) ho keh abhi oos mein jaan na padi ho to wasiyat sahi hai warna batil hai aur jis cheez ki oos shakhs ke liye wasiyat ko gayee ho (wasiyat batil hone ki suurat mein) wirsa oose aapas mein taqseem kar sakte hain.

2671. Agar insaan ko pata chale keh klisi ne oose wasi banaya hai to agar woh wasiyat karne waale ko itla' de de keh woh oos ki wasiyat par a'mal karne par aamada nahi hai to laazim hai keh woh oos ke marne ke ba'd oos wasiyat par a'mal kare. Leikin agar wasiyat koonda ke marne se pahle insaan ko yeh pata na chale keh oos ne oose wasi banaya hai ya pata chal jaaye leikin oose yeh itla' na de keh woh (y'ani jise wasi muqarrar kiya gaya hai) oos ki (y'ani moosi ki) wasiyat par a'mal karne par aamadah nahin hai to agar wasiyat par a'mal karne mein koi zehmat na ho to zaruri hai keh oos ki wasiyat par a'mal dar aamad kare neiz agar moosi ke marne se pahle wasi kisi vaqt oos amr ki jaanib mutawajja ho keh marz ki shiddat ki wajah se ya kisi aur azr ki bina par moosi kisi dusre shakhs ko wasiyat nahin kae sakta to ehtayaat-e-waajib ki bina par zaruri hai keh wasi wasiyat ko qabool kar le.

2672. Jis shakhs ne wasiyat ki ho agar woh mar jaaye to wasi ko yeh ikhtayaar nahin keh woh kisi dusre ko wasiyat ka wasi mo'yyin kare aur khud oon kaaamon se kinaara kashi ho jaaye. Laikin agar oose ilm ho keh marne waale ka maqsad yeh nahin thha keh khud wasi hi oon kaamon ko anjaam dene mein shareek ho balkeh oos ka maqsad faqt yeh thha keh kaam kar diye jayen to wasi kisi dusre shakhs ko oon kaamon ki anjaam dahi ke liye apni taraf se vaqeel muqarrar kar sakta hai.

2673. Agar koi shakhs do afraad ko ikathhe wasi banaye to agar oon dono mein ek mar jaaye ya diwaana ya kafir ho kaaye aur wasiyat ki I'barat se yeh samajh mein aaye keh ek ke faut hone par dasra mustaqil wasi hoga to zaruri hai keh oosi par a'mal kiya jaaye warna haakime shara'a oos ki jagah ek aur shakhs ko wasi muqarrar karega. Aur agar dono mar kayen ya kafir ya diwaane ho jayen to haakime shara'a do dusre ashkhaas ko oon ki jagah mo'yyin karega laikin agar ek shakhs wasiyat par a'mal kar sakta ho to do ashkhaas ka mo'yyin karna laazim nahin.

2674. Agar wasi tanha khawah waqeel muqarrar kar key a dusre ko ujrat de kar matufi ke kaam anjjaam na de sake to haakime shara'a oos ki madad ke liye ek aur shakhs muqarrar karega.
2675. Agar matufi ke maal ki kuchh miqdaar wasi ke haath se talf ho jaaye to agar wasi ne oos ki nigahdasht mein kotaahi ya ta'adi ki ho maslan agar matufi ne oose wasiyat ki ho keh maal ki itnii miqdaar falan shahar ke faqeeron ko de de aur wasi maal ko dusre shahar le jaaye aur woh raaste mein talf ho jaaye to woh zimmedaar hai aur agar oos ne kotaahi aur ta'adi na ki ho to zimmedaar nahin hai.
2676. Agar insaan kisi shakhs ko wasi muqarrar kare aur ache keh agar woh shakhs (y'ani wasi) mar jaaye to phir falan shakhs wasi hoga to jab pahla wasi mar jaaye to dusre wasi ke liye matufi ke kaam anjaam dena zaruri hai.
2677. Jo hajj matufi par waajib ho neiz qarza aur maali waajebaat maslan khums, zakaat aur mazaalim jin ka adaa karna waajib ho oonhein matufi ke asal maal se adaa karna zaruri hai agar che matufi neo on ke liye wasiyat nab hi ki ho laikin kaffaraat, nazraat aur nazr ki huyee hajj ki agar wasiyat ki hai to ek salat maaal se adaa kiye jayen.
2678. Agar matufi ka turka qarze se aur waajib hajj se aur oon shara'a waajebaat se jo oos par waajib hon maslan khums aur zakaat aur mazaalim se zayada ho to agar oos ne wasiyat ki ho keh oos ke maal ka teesra hissa ya teesre hisse ki kuchh miqdaar ek mo'yyin massarruf mein layee jaaye to oos ki wasiyat par a'mal karna zaruri hai aur agar wasiyat na ki ho to jo kuchh bache woh wirsa ka maal hai.
2679. Jo massarruf matufi ne mo'yyin kiya ho agar woh oos ke maal ke teesre hisse se zayada ho to maal ke teesre hisse se zayada ke baare mein oos ki wasiyat oos suurat mein sahi hai jab wirsa koi aisii baat ya aisaa kaam kare jis se ma'aloom ho keh oonhon ne wasiyat ke mutabiq a'mal karne ki ijaazat de di hai aur oon ka sirf raazi hona kaafi nahin hai aur agar woh wasi ki rehlat ke kuchh arse ba'd bhi ijaazat dein to sahi hai aur agar ba'az wirsa ijaazat de dein aur ba'az wasiyat ko radd kar dein to jinho ne ijaazat di ho oon ke hisso ki had tak wasiyat sahi aur nafiz hai.
2680. Jo massarruf matufi ne mo'yyin kiya ho agar oos ke maal ke teesre hisse se zayada ho to oos ki wasiyat teesre hisse se zayada mein oos suurat mein sahi hai jab oos ke wirsa ki ijaazat de dein khawah zabaan se khawah a'mal se. Aur wali razamandi kaafi nahin hai. Aur agar oos ne marne ke kuchh arse ba'd ijaazat di to sahi hai. Aur agar ba'az wirsa ijaazat dein aur ba'az rok dein to wasiyat sirf oon hisse mein sahi ahur nafiz hogi jinho ne ijaazat di hai.
2681. Agar marne wala wasiyat kare keh oos ke maal ke teesre hisse se khums aur zakaat ya koi aur qarza jo oos ke zimme ho diya jaaye aur oos ki qaza namaazon aur rozon ke liye ajeer muqarrar kiya jaaye aur koi mustahab kaam maslan faqeeron ko khaana khilaana bhi anjaam diya jaaye to zaruri hai keh pahle oos ka qarza maal ke teesre hisse se diya jaaye aur agar kuchh bach jaaye to namaazon aur rozon ke liye ajeer muqarrar kiya jaaye aur agar phir bhi kuchh bach jaaye to jo mustahab kaam oos ne mo'yyin kiya ho oos par surf kiya jaaye aur agar oos ke maal ka teesra hissa sirf oos ke qarze ke barabar ho aur wirsa bhi tihayee maal se zayada kharch karne ki ijaazat na dein to namaaz, rozon aur mustahab kaamon ke liye ki gayee wasiyat batil hai.
2682. Agar koi shakhs wasiyat kare keh oos ka qarza adaa kiya jaaye aur oos ki namaazon aur rozon ke liye ajeer muqarrar kiya jaaye aur koi mustahab kaam bhi anjaam diya jaaye to agar oos ne yeh wasiyat na ki ho keh yeh cheezein maal ke teesre hisse se di jaayen to zaruri hai keh oos ka qarza asal maal se diya jaaye aur phir jo kuchh bach jaaye oos ka teesra hissa namaa, rozon (jiasii I'badaata) aur oon mustahab kaamon ke massarruf mein laaya jaaye jo oos ne mo'yyin kiye hain. Aur oos suurat mein jabkeh teesra hissa (oon kaamon ke liye) kaafi na hoa agar wirsa ijaazat dein to oos ki wasiyat par a'mal karna chahiye aur agar woh ijaazat na dein to namaaz aur

rozon ki qaza ki ujrat maal ke teesre hisse se deni chahiye aur agar oos mein se kuchh bach jaaye to wasiyat karne waale jo mustahab kaam mo’yyin kiya ho oos par kharch karna chahiye.

2683. Agar koi kahe keh marne waale ne wasiyat ki thhi keh itnii raqam mujhe di jaaye to agar do a’adil mard oos ke qaul ki tasdeeq kar de ya woh qasam khaaye aur ek a’adil shakhs oos qaul ki tasdeeq kar de ya ek a’adil mard aur do a’adil auratein ya phir chaar a’adil auratein oos ke qaul ki gawahi dein to jitni miqdaar woh bataye oose denaa zaruri hai. Aur agar ek a’adil aurat gawahi de to zaruri hai keh jis cheez ka woh mutaleba kar raha ho oos ka chawthha hissa oose diya jaaye aur agar do a’adil auratein gawahi dein to oos ka nisf diya jaaye aur agar teen a’adil auratein gawahi dein to oos ka teen chawthhayee diya jaaye. Neiz agar do kitaabi kafir mard jo zammi hon aur apne mazhab mein a’adil hon oos ke qaul ki tasdeeq Karen to oos suurat mein jabkeh koi musalmaan gawahi den eke liye maujood naa ho to woh shakhs jis cheez ka mutaleba kar raha ho woh oose de deni zaruri hai.

2684. Agar koi shakhs kahe keh main matufi ka wasi hoon taleh oos ke maal ko falan massraf mein le aaoon to oos ka qaul oos suurat mein qabool karna chahiye jabkeh do a’adil mard oos ke qaul ki tasdeeq kare ya do zammi afraad jo apne mazhab mein a’adil hon, gawahi dein jabkeh koi musalmaan gawahi ke liye maujood na ho. Isii tarah agar wirsa qabool kar len to oos ka qaul sabit ho jaayega.

2685. Agar marne wala wasiyat kare keh oos ke maal ki itnii miqdaar falan shakhs ki hogi aur woh shakhs wasiyat ko qabool karne ya rokne se pahle mar jaaye to jab tak oos ke wirsa wasiyat ko radd na kar dein woh oos cheez ko qabool kar sakte hain laikin yeh hukm oos suurat mein hai keh wasiyat karne wala apni wasiyat se manharuf na ho jaaye warna woh (y’ani wasi ke wirsa) oos cheez par koi haq nahin rakhte.

Meeraas ke Ehkaam

2686. Jo ashkhaas matufi se rishtedaari ki bina par turka ppate hain oon ke teen giroh hain:

(1) Pahla giroh matufi ka baap, maa aur aulaad hain aur aulaad ken a hone ki suurat mein aulaad ki aulaad hai jahan tak yeh silsila niche chala jaaye. Iin mein se jo koi matufi se zayada qareeb ho woh turka paataa hai aur jab tak oos giroh mein se ek shakhs bhi maujood ho dasrag giroh turka nahin paataa.

(2) Dasra giroh dada, dadi, nana, nani, bahan aur bhayee hain aur bhayee aur bahan na hone ki suurat mein oon ki aulaad hai. Oon mein se jo koi matufi se zayada qareeb ho woh turka paataa hai. Jab tak oos giroh mein se ek shakhs bhi maujood ho teesraa giroh turka nahin paataa.

(3) Teesra giroh chacha, phoophi, mamoo, khala aur oon ki aulaad hai. Jab tak matufi ke chachaon, phoophion, mamoom aur khalaon mein se ek shakhs bhi zinda ho oon ki aulaad turka nahin paati laikin agar matufi ka pidari chacha aur maa baap dono ki taraf se chachazaad bhayee maujood ho aur mamoo aur khala maujood na hon to turka baap aur maa ki taraf se chachazaad bhayion ko milegaa aur pidari chacha ko nahin milegaa laikin agar chacha ya chachazaad bhayee muta’dad hon ya matufi ki biwi zinda ho to yeh hukm ishkaal se khaali nahin hai.

2687. Agar khud matufi ka chacha, phoophi, mamoo, khala aur oon ki aulaad ya oon ki aullaad ki aulaad na ho to oos ke baap aur maa ke chacha, phoophi, mamoo aur khala turka paate hain aur agar wohn a hon to oon ki aulaad turka paati hai aur aur agar woh bhi na ho to matufi ke dada, dadi aur nana, nani ke chacha, phoophi, mamoo aur khala turka paate hain aur agar woh bhi na hon to oon ki aulaad turka paati hai.

2688. Biwi aur shauhar jaisa keh ba'd mein tafseel se bataya jaayega ek dusre se turka paate hain.

Pahle giroh ki meeraas

2689. Agar pahle giroh mein se sirf ek shakhs matufi ka waris ho maslanbaap ya maa ka iklauta beta ho ya iklauti beti ho to matufi ka tamaam maal oose milta hai aur agar bete aur betiyan waris hon to maal ko yoon taqseem kiya jata hai keh har beta, beti se dugna hissa paataa hai.
2690. Agar matufi ke waaris faqt oos ke baap ya maa hon to maal ke teen hisse kiye jaate hain jin mein se do hisse baap aur ek hissa ma ko milta hai. Laikin agar matufi ke do bhayee ya chaar bahenein ya ek bhayee aur do bahenein hon jo sab ke sab musalmaan, aazaad aur ek baap ki aulaad hon khawah oon ki maa haqiqi ho ya sauteli ho bashart hai keh paida ho chuke hon agarche woh matufi ke baap aur maa ke hote huye turka nahin paate laikin oon ke hone ki wajah se maa ko maal ka chhata hissa milta hai aur baaqi maa baap ko milta hai.
2691. Jab matufi ke waaris faqt oos ke baap, maa aur ek beti ho lehaaza agar oos ke guzishta massle mein bayaan karda shara'et rakhne waale bhayee aur bahen na hon to maa; ke paanch hisse kiye jaayenge. Baap aur maa oon mein se eke k hissa lete hain aur beti teen hisse leti hai. Aur agar matufi ke sabeqa bayaan karda shara'et waale bhayee ye bahen hon to baap 1/5 aur maa 1/6 hissa aur beti 3/5 hisse milte hain aur jo 1/3 hissa baaqi bachaa oos ke baare mein ehtemaal hai keh yeh maa ka hissa hoga jaise keh ehtemaal hai keh ¾ hissa ladki ka aur ¼ hissa baap ka hoga. Iis mein jo farq hai oos ke baare mein ehtayaat-ewaajib ki bina par baham massalihat ki jaaye.
2692. Agar matufi ke waaris faqt oos ke baap ya maa ya ek beta ho to maal ke chhe hisse kiye jaate hain. Jin mein se baap aur maa ko eke k hissa aur chaar hisso ko aapas mein massawi taur par taqseem kar lete hain aur agar bete bhi hon aur betiyan bhi hon to oon chaar hisso ki iis tarah taqseem kiya jata hai keh har bete ko ek beti se dugna hissa milta hai.
2693. Agar matufi ke waaris faqt oos ke baap ya maa aur ek ya kayee bete hon to maal ke chhe hissa kiye jaate haim jin mein se ek hissa baap ya maa ko aur paanch hisse bete ko milte hain aur agar kayee bete hon to woho on paanch hisso ko aapas mein massawi taur par taqseem kar lete hain.
2694. Agar baap ya maa matufi ke betiyon ke saathh oos ke waaris hon to maal ke chhe hisse kiye jaate hain jin mein se ek hissa baap ya maa ko milta hai aur baaqi hisson ko yoon taqseem kiya jata hai keh har bete ko beti se dugna mile.
2695. Agar matufi ke waaris faqt oos ke baap ya maa aur ek beti hon to maal ke chaar hisse kiye jaate hain jin mein se ek hissa baap ya maa ko aur baaqi teen hisse beti ko milte hain.
2696. Agar matufi ke waaris faqt oos ke baap ya maa aur chand betiyan hon to maal ke paanch hisse kiye jaate hain jin mein se ek hissa baap ya maa ko milta hai aur chaar hisse betiyon ko aapas mein massawi taur par taqseem kar leti hain.
2697. Agar matufi ki aulaad na ho to oos ke bete ki aulaad – khawah woh beti ka hissa – matufi ke bete ka hissa paati hai aur beti ki aulaad – khawah woh beta hi kyoon na ho – matufi ki beti ka hissa paati hai. Maslan agar matufi ka ek nawasa (beti ka beta) aur ek poti (bete ki beti)) ho to maal ke teen hisse kiye jaate hain jin mein se ek hissa nawase ko do hisse poti ko milte hain. Aur pote poti ke meeraas lene mein baap aur maa ka na hona shart nahin hai.

Dusre giroh ki meeraas

2698. Jo log rishtedaari ki bina par meeraas paate hain oon ka dasra giroh matufi ka dada, dadi, nana, nani, bhayee aur bahen hain aur agar oos ke bhayee bahen na hon to oon ki aulaad meeraas paati hai.
2699. Agar matufi ke waaris faqt bhayee yaa ek bahen ho to saara maal oos ko milta hai. Aur agar kayee sage bhayee ya kayee sagi bahene hon to maal oon mein barabar barabar taqseem ho jata hai aur agar sage bhayee bhi hon aur bahen bhi ho to har bhayee ko bahen se dugna hissa milta hai. Maslan agar matufi ke do sage bhayee aur ek sagi bahen ho to maal ke paanch hisse kiye jayenge jin mein se har bhayee ko do hisse milenge aur bahen ko ek hissa milega.
2700. Agar matufi ke sage bhayee bahen maujood hon to pidari bhayee aur bahen jin ki maa matufi ki sauteli maa ho meeraas paate. Aur agar oos ke sage bahen bhayee na hon aur faqt ek pidari bhayee ho ya ek pidari bahen ho to maa; oos ko milta hai. Aur agar oos ke kayee pidari bhayee ya kayee pidari bahene hon to oon ke dirmiyaan massawi taur par taqseem ho jata hai. Aur agar oos ke pidari bhayee bhi hon aur pidari bahene bhi ho to har bhayee ko bahen se dugna hissa milta hai.
2701. Agar matufi ka waaris faqt ek maadari bahen ya bhayee ho to jo baap ki taraf se matufi ki sauteli bahen ya sautela bhayee ho to saara maal oose milta hai aur agar chand maadari bhayee hon ya chand maadari bahene hon ya chand maadari bhayee aur bahene hon to maal oon ke darmiyaan massawi taur par taqseem ho jata hai.
2702. Agar matufi ke sage bhayee bahene aur pidari bhayee bahene aur ek maadari bhayee ya ek maadari bahen ho to pidari bhayee baheno ko turka nahin milta aur maal ke chhe hisse kiye jaate hain jin mein se ek hissa maadari bhayee ya maadari bahen ko milta hai aur baaqi hisse sage bhayee baheno ko milte hainaur har bhayee do baheno ke barabar hissa paataa hai.
2703. Agar matufi ke sage bhayee bahen aur pidari bhayee bahene aur maadari bhayee bahene hon to pidari bhayee baheno ko turka nahin milta aur maal ke teen hisse kiye jaate hain jin mein se ek hissa maadari bhayee bahene aapas mein barabar barabar taqseem karte hain aur baaqi do hisse sage bhayee baheno ko iis tarah diye jaate hain keh har bhayee ka hissa bahen se dugna ho jata hai.
2704. Agar matufi ke waaris sirf pidari bhayee bahene aur ek maadari bhayee ya ek maadari bahen hon to maal ke kuchh hisse kiye jayenge jin mein se ek hissa maadari bhayee ya maadari bahen ko milta hai aur baaqi hissa pidari bhayee baheno mein iis tarah taqseem kiye jaate hain keh har bhayee ko bahen se dugna hissa milta hai.
2705. Agar matufi ke waaris faqt pidari bhayee bahene aur chand maadari bhayee bahene hon to maal ke teen hisse kiye jayenge jin mein se ek hissa maadari bhayee bahen aapas mein barabar barabar taqseem kar lete hain aur baaqi hissa pidari bhayee baheno mein iis tarah taqseem kiye jaate hain keh har bhayee ko bahen se dugna hissa milta hai.
2706. Agar matufi ke waaris faqt oos ke bhayee, bahen aur biwi hon to biwi apna turka oos tafseel ke mutabiq legi jo ba'd mein bayaan ki jayegi aur bhayee bahene apna turka iis . tarah lenge jaisa keh guzishta msa'el mein bataya gaya hai. Neiz agar koi aurat mar jaaye aur oos ke waaris faqt oos ke bhayee bahene aur shauhar hon to nisf maal shauhar ko milegaa aur nehane aur bhayee oos tariqe se turka payenge jis ka zikr guzishta mass'el mein kiya gaya hai. Laikn biwi ya shauhar ke turka paane ki wajah se maadari bhayee baheno ke hisse mein koi kami nahin hogi. Taa-ham sage bhayee baheno ya pidari bhayee baheno ke hisse mein kami hogi. Maslan agar kisi matufia ke waaris oos ka shauhar aur maadari bahen bhayee aur sage bahen bhayee hon to nisf maal shauhar ko milega aur asal maal ke teen hisson mein se ek hissa maadari bahen bhayeeon ko milega aur jo kuchh bache woh sage bahen bhayeeon ka maal hoga. Pas agar oos ka

kul maal chhe ruppaye ho to teen rupayye shauhar ko aur do rupayye maadari bahen bhayeeon ko aur ek rupayya sage bahen bhayeeon ko milega.

2707. Agar matufi ke bhayee bahen na hon to oon ke turke ka hissa oon ki (y'ani bhayee baheno ki) aulaad ko milega aur maadari bhayee baheno ki aulaad ka hissa oon ke mabeen barabar taqseem hota hai aur jo hissa pidari bhayee baheno ki aulaad ya sage bhayee baheno ki aulaad ko milta hai qaul masshhoor ki bina par har ladka do ladkiyon ke barabar hissa paataa hai laikin kuchh ba'aeed nahin hai keh oon ke maabeen bhi turka barabar barabar taqseem ho. Aur ehtayaat-e-waajib ki bina par zaruri hai keh woh aapas mein massalihay kar len.

2708. Agar matufi ka waaris faqt dada ya faqt dadi ya faqt nana ya faqt nani ho to matufi ka tamaam maal oose milega aur agar matufi ka dada ya nana maujood ho to oos ke baap (matufi ke par dada ya par nana) ko turka nahin milta aur agar matfui ke waaris faqt oos ke dada aur dadi hon to maal ke teen hisse kiye jayen jin mein se do hisse dada ko aur ek hissadadi ko milta hai aur agar woh nana aur nani hon to woh maal ko barabar barabar taqseem kar lete hain.

2709. Agar matufi ke waaris sirf ek dada ya dadi aur ek nana ya nani hon to maal ke teen hisse kiye jaate hain jin mein se do hisse dada aur dadi ko milenge aur ek hissa nana ya nani ko milega.

2710. Agar matufi ke waaris dada aur dadi nana aur nani hon to maal ke teen hisse kiye jaate hain jin mein se ek hissa nana aur nani aapas mein barabar barabar taqseem kar lete hain aur baaqi do hisse dada aur dadi ko milte hain jin mein dada ka hissa dadi se dugna hota hai.

2711. Agar matufi ke waaris faqt oos ki biwi aur dada, dadi aur nana, nani hon to biwi apna hissa oos tafseel ke mutabiq leti hai jo ba'd mein bayaan hogi aur asal maal ke teen hisson mein se ek hissa nana aur nani ko milta jo woh aapas mein barabar barabar taqseem karte hain aur baaqi manda (y'ani biwi aur nana, nani ke ba'd jo kuchh bache) dada aur dadi ko milta hai jis mein se dada, dadi ke muqaable mein dugna leta hai. Agar matufi ke waaris oos ka shauhar aur dada ya nana aur dadi ya nani hon to shauhar ko nisf maal milta hai aur dada, nana aur dadi, nani oon ehkaam ke mutabiq turka paate hain jin ka zikr guzishta massa'el mein ho chuuka hai.

2712. Bhayee bahen ya bhayeeon ya baheno ke saathh dada ya dadi ya nana ya nani ya dadaon ya dadion ya nanaon ya nanion ke ijtema' ki chand suuratein hain:

(1) Nana nani aur bhayee ya bahen sab maa ki taraf se hon. Iis suurat mein maal oon ke dirmiyaan massawi taur par taqseem ho jata hai agarche ba'az mazkar aur ba'az ma'nis hon.

(2) Dada ya dadi ke saathh bhayee ya bahen baap ki taraf se hon. Iis suurat mein bhi oon ke maabeen maal massawi taur par taqseem hota hai bashart hai keh woh sab mard hon ya sab auratein hon aur agar mukhtalif (y'ani mard aur auratein) hon to phir har mard aurat ke muqaable mein dugna hissa letaa hai.

(3) Dada dadi ke saathh (sage) bhayee ya (sage) bahen maa aur baap ki taraf se ho oos suurat mein bhi wahi hukm hai jo guzishta suurat mein hai aur yeh jaanna chahiye keh agar matufi ke pidari bhayee ya bahen, sage bhayee bahen ke saathh jama' ho jaayen to sirf pidari bhayee ya bahen meeraas nahin paate.

(4) Dada ya dadi aur naane ya naniyan hon ya dono hon khawah woh sab ke sab mard hon ya auratein hon ya mukhtalif hon aur isii tarah sage bhayee ya bahene hon ya dono hon to oos suurat mein jo maadari rishtedaar bhayee, bahen aur naane ya naaniyan hon turke mein oon ka ek tehayee hissa hai aur oon ke dirmiyaan khawah mar hon ya auratein barabar barabar taqseem ho jata hai aur oon mein se jo pidari rishtedaar ho noon ka hissa do tehayee hai jis mein se har mard ko turka oon mein se barabar barabar taqseem ho jata hai.

(5) Dada ya dadi maa ki taraf se bhayee ya bahen ke saathh jama’ ho jayen iis suurat mein agar bahen bhayee bilfarz ek ho to oose maal ka chhata hissa milta hai aur agar kayee hon to teesra hissa oon ke dirmiyaan barabar barabar taqseem ho jata hai aur jo baaqi bache woh dada ya dadi ka maal hai aur agar dada aur dadi dono hon to dada ko dadi ke muqaable mein dugna hissa milta hai.

(6) Nana ya nani, baap ki taraf se bhayee ya bhayeeon ke sathh jama’ ho jaayen. Iis suurat mein nana ya nani ka teesra hissa hai. Aur agar dono hon to yahi teesra hissa dono mein barabar barabar taqseem kiya jayega aur do tehayee bhayee ya bhaayeeon ka hissa hai aur agar os nana ya nani ke saathh baap ki taraf se bahen ho aur woh ek hi ho to woh aadhaa hissa leti hai. Aur agar kayee bahene hon to do tehayee leti hain aur har suurat mein nana ya nani ka hissa ek tehayee hi hai. Aur iis bina par agar bahen ek hi ho aur chhata hissa turke se bacha hua hai aur taraddud hai keh yeh bahen ko diya jaaye ya bahen aur nana ya nani ke dirmiyaan taqseem kiya jaaye to oos ke baare mein ehtayaat-e-waajib massaalihat mein hai.

(7) Dada ya dadiyan hon aur nana ya naniya hon aur oon ke saathh pidari bhayee ya bahen ho khawah woh ek hi ho ya kayee hon oos suurat mein nan ya nani ka hissa ek tehayee hai aur woh zayada hon to yeh oon ke maabeen massawi taur par taqseem ho jata hai agarche ba’ze mard aur ba’zi auratein hon. Aur baaqi mandah do tehayee dade ya dadi aur pidari bhayee ya bahen ka hai aur mard aurat se dugna hissa leta hai. Agar iin dadon, nano ya dadiyon, naniyon ke saathh maadari bhayee ya bahen ho to nana ya nani ka hissa maadari bhayee ya bahen ke saathh ek tehayee hai jo iin ke dirmiyaan barabar barabar taqseem ho jata hai agarche ba’ze mard aur ba’zi auratein hon. Aur dada ya dadi ka hissa do tehayee hai. Aur (dada, dadi dono hon to) dada, dadi se dugna hissa leta hai.

(8) Bhayee ya bahen hon jin mein se kuchh pidari aur kuchh maadari hon aur oon ke saathh dada ya dadi hon. Iis suurat mein agar maadari bhayee ya bahen ek ho to turke mein se oos ka chhata hiisa hai aur agar ek se zayada hon to teesra hissa hai jo oon ke ke maabeen barabar barabar taqseem ho jata hai. Aur baaqi turka pidari bhayee ya bahen aur dada ya dadi ka hai aur mard ka hissa aurat se dugna hai. Aur agar iin bhayeeon ya baheno ke sathh nana ya nani hon to nana yanani aur maadari bhayeeonya baheno sab ka hissa ek tehayee ho jata hai aur iin ke mabeen barabar barabar taqseem ho jata hai. Aur pidari bhayeeon ya baheno ka hissa do tehayee hota hai jo mar ka aurat se dugna hota hai.

2713. Agar matufi ke bhayee bahenhon to bhayeeon ya baheno ki aulaad ko meeraas nahin milti laikin agar bhayee ki aulaad aur nbahen ki aulaad meeraas pana bhayeeon aur baheno ki meeraas se mazaham na ho to phir iis hukm ka itlaaq nahin hota. Maslan agar matufi ka pidari bhayee aur nana ho to pidari bhayee ko meeraas ke do tehayee hissa aur nana ko ek tehayee hissa milega aur iis suurat mein matufi ke maadari bhayee ka beta bhi ho to bhayee ka beta nana ke sathh ek tehayee mein shareek hota hai.

Teesre giroh ki meeraas

2714. Meeraas pane waalon ke teesre giroh mein chahcha, phoopi, mamoo aur khala aur iin ki aulaad hain. Agar pahle aur dusre giroh mein se koi waaris maujood na ho to phir yeh log wiraasat paate hain.

2715. Agar matufi ka waaris faqt ek chacha ya ek phoopi ho to khawah woh sage ho y’ani woh aur matufi ek maa baap ki aulaad hon khawah pidari ho ya maadari ho saara maal oose milta hai. Agr chand chacha ya chand phoopi phoopiyen hon aur woh sab sage ya sab pidari ya sab

maadari ho to iin ke dirmiyaan maal barabar taqseem hoga. Agar chach aur phoopi dono hon to chacha ko phoopi se dugna hissa milta hai.

2716. Agar matufi ke waaris chacha aur phoopiyaan hon aur iin mein se kuch pidari aur kuchh maadari aur kuchh sage hon to pidari chachaon aur phoopiyon ko turka nahin milta. Aur agar matufi ka ek maadari chach ya ek maadari phoopi ho to maal ke chhe hissa kiye jaate hai jin mein se ek sage chacha aur phoopiyan na ho to woh hisse pidari chachon aur phoopiyon ko milte hai. Agar matufi ke maadari chacha aur maadari phoopiyan bhi hon to maal ke teen hisse kiye jaate hain jin mein se do hisse sage chachaon aur phoopiyon ko milte hain aur bilfarz agar sage chacha aur phoopiyan na hon to pidari chacha aur pidari phoopi ko turka milta haai aur ek hissa maadari chacha aur phoopi ko milta hai aur har haal mein chacha ko phoopi se dugna hissa milega.

2717. Agar matufi ke waaris faqt ek mamoo ya ek khala ho to saara maal oose milega. Aur maamo bhi ho aur aur khala bhi ho aur dono pidari aur maadari hon (y'ani matufi ki maa ke sage bahen bhayee hon) ya pidari ya maadari hon to ba'eed nahin keh mamoo khala se dugna hissa le. Agarche yeh bhi ehtemaal hai keh dono ka hissa barabar barabar ho iis liye ehtayaat-e-waajib ki bina par zaa'ed miqdaar mein baham tasfiya kar len.

2718. Agar mayyat ke waaris ek ya kayee maadari maamoo aur khala, sage mamoo aur khala, aur pidari mamoo aur khala hon to pidari mamoo aur khala ko wiraasat ka na milna mehal ishkaal hai. Beharhaal maadari mamoo ya khala mein se ek ho to oose maal ka 1/6 hissa milega aur agar kayee hain to 1/3 maal ke haqdaar hain aur baaqi maal pidari mamoo aur khala ko ya sage mamoo aur khala ko diya jaayega. Har haalat mein yeh ehtemaal hai keh mamoo ka hissa khalaon ke barabar hoga laikin ehtayaat-e-waajib yeh hai keh aapas mein massaalihat kar len.

2719. Agar matufi ke waaris ek ya chand mamoo ya ek ya chand khalaon ya mamoo aur khala aur ek ya chand chacha ya ek ya chand phoopiyan ya chacha aur phoopi hon to maal teen hisso mein taqseem kiya jata hai. Iin mein se ek hissa mamoo ya khala ko ya dono ko milta hai aur baaqi do hisse chacha ya phoopi ko ya dono ko milta hain. Har giroh ke dirmiyaan taqseem ka tariqa bayaan ho chuuka hai.

2720. Agar matufi ke chach, phoopui, mamoo aur khala na hon to iin ka hissa oon ki aulaad ko diya jaayega. Agar phoopi ki ek ladki aur mamoo ke kuchh ladke hon to phoopi ki ladki ko do tehayee milega aur mamoo ke ladkon ko ek tehayee jis ko woh aapas mein barabar barabar taqseem kar lenge aur yeh tabqa (chacha, phoopi, mamoo aur khala ke ladke) matufi ke baap ya maa ke chacha, phoopi, mamoo aur khala par (meeraas paane mein) maqaddam hain.

2721. Agar matufi ke waaris iis ke baap ke chacha, phoopion, mamoo aur khalaon aur iis ke maa ki maa ke chachon, phoopiyon, mamoon aur khalaon ko bataur meeraas milega. Aur maal iin ke dirmiyaan barabar barabar taqseem hoga ya har aurat se dugna hissa legaa iis mein ikhtelaaf hai aur ehtayaat-e-waajib yeh hai keh massaalehat kar len. Baaqi do hisso ke yteen hisse kiye jayenge. Ek hissa matufi ke baap ke mamoo aur khalayen oosi kaifiyat ke mutabiq aapas mein barabar barabar baant len aur baaqi do hisse bhi oosi kaifiyat ke mutabiq matufi ke baap ke chachaon aur phoopion ko diye jayenge.

Biwi aur shauhar ki meeraas

2722. Agar koi aurat be aulaad mar jaaye to oos ke saare maal ka nisf hissa shauhar ko aur baaqi mandah dusre wirsa ko milta hai. Aur agar aurat ki oosi shauhar se ya kisi aur shauhar se aulaad ho to saare maal ka chawthhayee hissa shauhar ko aur baaqi mandah dusre wirsa ko milta hai.

2723. Agar koi aadmi mar jaye aur oos ki koi aulaad na ho to oos ke maal ka chawthayee hissa oos ki biwi ko aur baaqi dusre wirsa ko milta hai. Agar oos aadmi ki oos biwi se ya kisi aur biwi se aulaad ho to maal (ka aathhwan) hissa biwi ko aur baaqi dusre wirsa ko milta hai. Ghar ki zameen, baagh, kheit aur dusri zameeno mein se aurat ko meeraas nahin milti na zameen bataur meeraas hasil karti hai aur na hi oos ki qimat. Neiz woh ghar ki faza mein qaayam cheezon maslan a'maarat aur darakhton se turka nahin paati laikin oon ki qimat ki suurat mein turka paati hai. Aur jo darakht aur a'maaratein baagh ki zameen, mazru'a zameen aur dusri zameeno mein ho noon ka bhi yahi hukm hai. Laikin shauhar ki wafaat ke vaqt jo phal darakhto par thhe oos mein se wiraasat paati hai.

2724. Jin cheezon mein se aurat turka nahin paati maslan riyahish makaan ki zameen agar woh iin mein tasarruf karna chaahe to zaruri hai keh dusre wirsa se ijaazat le. Aur wirsa jab tak aurat ka hissa na de dein oon ke liye jayez nahin hai keh oos ki ijaazat ke baghair oon cheezon mein maslan a'maaraton aur darakhton mein tasarruf kare jin ki qimat se woh turka paati hai.

2725. Agar a'maarat aur darakht waghaira ki qimat lagana maqsud ho to zaruri hai keh iis tarah andaza lagayen jaisa keh qimat lagane waalon ka ma'mool hota hai keh jis zameen mein woh hai oos ki khasusiyaat ko pesh nazr rakhe baghair oon ka hesaab kare keh oon ki kitni qimat hai, na keh oonhein zameen se ukhde huye farz kar ke oon ki qimat lagayen aur na hi oon ki qimat ka hesaab iis tarah kare keh agar woh baghair kiraaye ke oos zameen mein oosi haalat mein baaqi rahen to oon ki qimat kya hogi.

2726. Neharon ka paani bahne ki jagah aur oosi tarah ki dusri jagah zameen ka hukm rakhti hai aur oonit aur dusri cheezein jo iis mein lagayee gayee hain woh a'maarat ke hukm mein hain. Albatta khud paani mein se wiraasat paati hai.

2727. Agar matufi ki ek se zayada biwiyan hon laikin aulaad koi na ho to maal ka chawtha hissa aur agar aulaad ho to maal ka athwaan hissa oos tafseel kemutabiq jis ka bayaan ho chuuka hai sab biwiyon mein massawi taur par taqseem hota hai khawah shauhar ne iin sab ke saath ya iin mein ba'az ke saah hambistari nab hi ki ho. Laikin agar oos ne aisa marz ki haalat mein jis marz se oos ki maut waq'e huyee hai kisi aurat se nikaah kiya ho aur oos se hambistari na ki ho to woh aurat oos se turka nahin paati aur woh mehar ka haq bhi nahin rakhti.

2728. Agar koi aurat marz ki haalat mein kisi mard se shaadi kare aur oosi marz mein mar jaaye to khawah mard ne oos se hambistari nab hi ki ho woh oos ke turke mein hissedaar hai.

2729. Agar aurat ko iis tarteeb se raja'ee talaaq de jaaye jis ka zikr talaaq ke ehkaam mein kiya gaya hai aur woh a'ddat ke daruaan mar jaaye to shauhar oos se turka pata hai. Isii tarah agar shauhar oos a'ddat ke dauraan faut ho jaaye to biwi oos se turka paati hai laikin a'ddat guzarne ke ba'd ya talaaq ki a'ddat ke dauraan oon mein se koi ek mar jaaye to dasra oos se turka nahin paataa.

2730. Agar shauhar marz ki haalat mein apni biwi ko talaaq de de aur barah qamri mahine guzarne se pahle mar jaaye to aurat teen shartein poori karne par oos ki meeraas se turka paati hai khawah talaaq raja'ee ho ya bba'en:

(1) Aurat ne oos muddat mein dasra shauhar na kiya ho aur agar dasra shauhar kiya ho to oose meeraas milegi agar che ehtayaat yeh hai keh sulah kar len (y'ani matufi ke wirsa aurat se massaalihat kar len).
(2) Talaaq aurat ki marz aur darkhawast par na huyee ho. Warna oose meeraas nahin milegi khawah talaaq hasil karne ke liye oos ne apne shauhar ko koi cheez di ho ya na di ho.
(3) Shauhar ne jis marz mein aurat ko talaaq di ho ooa marz ke dauraan oos marz ki wajah se ya kisi aur wajah se mar gaya ho. Lehaaza agar woh oos marz se shafayaab

ho jaaye aur kisi aur wajah se mar jaaye to aurat oos se meeraas nahin paati. Magar yeh keh oos ki wafaat a'ddat raja'ee ke dirmiyaan huyee ho.

2731. Jo kapde mard ne apni biwi ko pahenne ke liye fraham kiye hon agarche woho on kapdo ko pahen chuki ho phir bhi shaihar ke marne ke ba'd woh shauhar ke maal ka hissa honge. Laikin agar kapde aurat ki malkiyat mein hon to yeh oosi ke hain. Aurat ko yeh haq bhi hasil hai keh shauhar se nafqa ke a'nwaan se kapdo ka mutaalba kare.

Meeraas ke mukhtalif massa'el

2732. Matufi ka Qur'an majeed, anguthhi, talwaar aur jo kapde woh pahen chuuka ho ya pahenne ke liye tayyar kar rakhe hon woh bade bete ka maal hai aur agar pahli teen cheezon mein se matufi ne koi cheez ek se zayada chhodi hon maslan oos ne Qur'an majeed ke do nuskhe ya fo angithhiyan chhodi hon to ehtayaat-e-waajib yeh hai keh oos ka bada beta oon ke baare mein dusre wirse se massaalihat kare aur oon chaar cheezon ke saath rahel, bandook, khanjar aur iin jaise dusre hathiyaar aur talwaar ki nayaam Qur'an majeed ka ghalaaf bhi oonhein ke taba'e hain.

2733. Agar kisi matufi ke bade bete ek se zayada hon maslan do biwiyon se do bete baik vaqt paida hon to zaruri hai keh jin cheezon ka zikr kiya ja chuuka hai oonhein barabar barabar aapas mein taqseem Karen. Yeh hukm bade bete se makhsus hai agar betiyaan badi hon to oon ke liye nahin hai.

2734. Agar matufi maqruz ho to agar oos ka qarz oos ke maal ke barabar ya oos se zayada ho to zaruri hai keh bada beta oon cheezon se bhi jo oos ki malkiyat hai aur jin ka sabqa massle mein zikr kiya gaya hai oos ka qarz adaa kare ya oos ki qimat ke barabar apne maal se de. Agar matufi ka maal oos ke qarz se kam ho aur zikr shuda oon chand cheezon ke a'lawa jo bade bete ko mili hain mayyat ka baaqi maal qarz adaa karne ke liye kaafi ho tab bhi ehtayaat-e-laazim yeh hai keh bada beta jaisa keh pahle bataya gaya hai qarz adaa karne mein shirkat kare. Maslan agar matufi ka tamaam maal saathh rupayye ka ho aur oos mein bees rupayye ki woh cheezein hon jo bade bete ka maal hain aur oos par tees rupayye qarz ho to bade bete ko chahiye keh oon cheezon mein se das ruppaye matufi ke qarz ke silsile mein de.

2735. Musalmaan kafir se turka paata hai. Laikin kafir khawah woh musalmaan matufi ka baap ya beta hi kyoon na ho oos se turka nahin paata.

2736. Agar koi shakhs apne rishtedaaron mein kisi ko jaan boojh kar aur naahaq qatl kar de to woh oos se turka nahin paata laikin agar woh shakhs ghalti se maara jaaye. Maslan agar koi shakhs (ghulail se) hawa mein paththar phenke (ya hawayee firing kare) aur woh ittefaqan oos ke kisi rishtedaar ko lag jaaye aur woh mar jaaye to woh marne waale se turka paayega laikin oos ke qatl ki dait mein se turka nahin paayega.

2737. Jab kisi matufi ke wirsa turka taqseem karna chahe to woh bachcha jo abhi maa ke pait mein ho aur agar zinda paida ho to meeraas ka haqdaar hoga. Iis suurat mein jabkeh nma'loom ho keh bachcha ek ya kayee hain, ladka hai ya ladki hai, khawah kisi bhi ma'loomaati zariye se ilm ho jaaye to zaruri hai keh oos ka ya oon ka hissa alaiheda rakha jaaye. Aur ma'loom na ho to agar quwi ehtemaal ho keh kayee bachche hain to jitni ta'adaad ka ehtemaal ho utne bachchon ka hissa alaiheda rakhna zaruri hai. Phir agar maslan ek ladka aur ek ladki paida ho to jitnio miqdaar zayada ho wirsa aapas mein taqseem kar len.

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